

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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FAO-3129-2016 (O&M)

Date of decision: 03.02.2020

RAVINDER KAUR AND ORS

... Appellants

Versus

KABIR SINGH @ KALA AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. PS Miglani, Advocate for the appellants.
Mr. Pardeep Kumar, Advocate for insurance company.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking additional compensation on account of death of Harjit Singh in a motor vehicular accident that took place on 22.10.2014.

The Tribunal awarded Rs.12,05,000/-, detailed hereunder:-

Monthly income of the deceased	Rs.7500/-
Addition in income for future prospects	20%
Multiplier	15
Deduction for personal expenses	1/3 rd
Loss of dependency	Rs.10,80,000/-
Expenses on funeral	Rs.25,000/-
Loss of consortium	Rs.1,00,000/-

As the deceased was less than 40 years of age, claimants are entitle to addition in income for future prospects @ 40%. Multiplier and deduction for personal expenses applied by the Tribunal are correct and affirmed. In this manner, loss of dependency is calculated at Rs.12,60,000/- [(7500 x 12 x 15) + (40% future prospects) – (1/3rd deduction for personal expenses)].

Under conventional heads, compensation allowed is modified to the effect that claimants shall be entitle to Rs.70,000/-, detailed hereunder:-

1. Loss of consortium	Rs.40,000/-
2. Loss of estate	Rs.15,000/-
3. Funeral expenses	Rs.15,000/-

Total compensation is Rs.13,30,000/- and additional amount is Rs.1,25,000/- (13,30,000 - 12,05,000), payable with interest @ 7.5% per annum from the date of petition till realization to claimants in equal ratio, to

be invested in fixed deposit for a period of two years.

The appeal is partly allowed in the aforesaid terms.

03.02.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No