

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No.7955 of 2014 (O&M)
DATE OF DECISION: 03.03.2020

PRTC, Nabha Road, Patiala and another
.....Appellants
versus

Mandeep Kaur and others
.....Respondents

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. S.K. Saini, Advocate for
Mr. T.S. Gujral, Advocate for the appellants
..

ALKA SARIN, J.

The present appeal has been filed by the owner against the award dated 24.04.2013 passed by the Motor Accident Claims Tribunal, Bathinda. The Tribunal had awarded an amount of Rs.6,22,500/- along with 7.5% interest per annum from 13.10.2010 till actual realisation. The appellants as well as respondent No.5 were held jointly and severally liable to pay the compensation. Aggrieved by the said award, the present appeal has been filed by the owners of the offending vehicle.

2. I have heard the learned counsel for the appellants.

3. It has been contended by the learned counsel for the appellants that the amount awarded is on the

higher side and, in fact, was not justified in view of the law laid down by the Supreme Court.

4. The Tribunal by relying upon the case of **Sarla Verma and others vs. Delhi Transport Corporation and Anr., 2009 (3) RCR (Civil) 77** applied a multiplier of 15 since the age of the deceased was 40 years. Further, by applying deduction of 1/4, the compensation was calculated at Rs.6,07,500/-. The respondent No.1 was further held entitled to Rs.10,000/- as funeral expenses and Rs.5,000/- as loss of estate. No illegality in the impugned award could be pointed out by the counsel for the appellants apart from contending that it is on the higher side. Since the claimants are not in appeal, I do not deem it proper to comment upon the compensation awarded by the Tribunal. However, under no circumstances can it be said to be on the higher side.

5. I do not file any merit in the present appeal. Hence, it is dismissed.

(ALKA SARIN)
JUDGE

03.03.2020
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NOTE:

Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO