

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

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FAO-5738-2016 (O&M)

Date of decision: 17.01.2020

LOVEPREET SINGH

... Appellant

Versus

PARGAT SINGH AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. JS Mahal, Advocate for the appellant.
Mr. Ishant Khangwal, Advocate for
Mr. Punit Jain, Advocate and
Mr. Vinod Gupta, Advocate for insurance company.

REKHA MITTAL, J. (Oral)

CM No.19762-CII-2016

Heard.

Allowed as prayed for. Delay of 4 days in re-filing the appeal stands condoned.

Main Case

The claimant is in appeal seeking enhancement of compensation on account of death of Sarabjit Kaur in a motor vehicular accident that took place on 10.01.2014.

The Tribunal awarded Rs.5,50,000/-, detailed hereunder:-

Monthly value of services of deceased	Rs.3000/-
Multiplier	15
Loss of dependency	Rs.5,40,000/-
Expenses on funeral	Rs.5000/-
Loss of estate	Rs.5000/-

The claim has been filed by three minor children of deceased aged 17, 15 and 6 years. Even if the deceased was a house-maker, value of her services cannot be assessed less than Rs.9000/- per month and ordered accordingly. Multiplier applied by the Tribunal is correct and affirmed. In this manner, loss of dependency is calculated at Rs.16,20,000/- (9000 x 12 x 15).

Under conventional heads, compensation awarded is modified to the effect that claimants shall be entitle to Rs.55,000/-, detailed hereunder:-

- | | |
|---|-------------|
| 1. Expenses on last rites | Rs.15,000/- |
| 2. Loss of consortium
to husband of deceased | Rs.40,000/- |

Total compensation is Rs.16,75,000/- and additional amount is Rs.11,25,000/- (16,75,000 – 5,50,000), payable with interest @ 7.5% per annum from the date of petition till realization to the claimants in the ratio 20:20:60, to be invested in fixed deposit till they attain majority or for a period of three years, whichever is later.

The appeal is partly allowed in the aforesaid terms.

17.01.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:

Yes / No

Whether reportable:

Yes / No