

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

224

FAO No.6014 of 2016 (O&M)

Date of decision: 29.01.2020

SUNITA AND ORS

... Appellants

Versus

NARESH KUMAR AND ORS

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Mandeep Singh, Advocate for the appellants.
Mr. SN Pillania, Advocate for respondent No.1.
Mr. Amit Kundra, Advocate for insurance company.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking additional compensation on account of death of Dayanand in a motor vehicular accident that took place on 23.03.2015.

The Tribunal awarded Rs.12,30,000/-, detailed hereunder:-

Monthly income of the deceased	Rs.10,000/-
Multiplier	13
Deduction for personal expenses	1/3 rd
Loss of dependency	Rs.10,40,000/-
Expenses on funeral	Rs.20,000/-
Loss of consortium	Rs.20,000/-
Loss of love and affection	Rs.1,50,000/-

Claimants shall be entitle to addition in income for future prospects @ 25%. The other criteria adopted by the Tribunal for computing loss of dependency is affirmed. In this manner, loss of dependency is calculated at Rs.13,00,000/- [(10,000 x 12 x 13) + (25% 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.13,70,000/- and additional amount is Rs.1,40,000/- (13,70,000 - 12,30,000), payable with interest @ 7.5% per annum from the date of petition till realization to widow of the deceased, to

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

The appeal is partly allowed in the aforesaid terms.

29.01.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:	Yes / No
Whether reportable:	Yes / No