

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

220

FAO-7922-2015 (O&M)

Date of decision: 10.01.2020

BALJIT KAUR & ORS

... Appellants

Versus

KULWANT SINGH AND ORS.

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Tribhawan Singla, Advocate for the appellants.
Mr. Rajan Bhargava, Advocate for
Mr. Vishal Aggarwal, Advocate for insurance company.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Gurpreet Singh in a motor vehicular accident that took place on 02.02.2014.

The Tribunal awarded Rs.17,02,500/-, detailed hereunder:-

Monthly income of the deceased	Rs.12,500/-
Multiplier	15
Deduction for personal expenses	1/4 th
Loss of dependency	Rs.16,87,500/-
Expenses on funeral	Rs.10,000/-
Loss of consortium	Rs.5000/-

Claimants shall be entitle to addition in income for future prospects @ 40%. As the deceased was born on 10.04.1980 and died on 02.02.2014, he was less than 35 years of age and as such, admissible multiplier is 16. Deduction for personal expenses and income of the deceased assessed by the Tribunal are correct and affirmed. In this manner, loss of dependency is calculated at Rs.25,20,000/- [(12,500 x 12 x 16) + (40% future prospects) – (1/4th 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.25,90,000/- and additional amount is

Rs.8,87,500/- (25,90,000 - 17,02,500) payable with interest @ 7.5% per

annum from the date of petition till realization to be shared by claimants No.1 to 4 in ratio 20:20:30:30. The amount falling to share of minors shall be invested in fixed deposit till they attain majority or a period of three years, whichever is later and their mother shall be entitle to interest thereon for meeting their expenses.

The appeal is partly allowed in the aforesaid terms.

10.01.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No