

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

FAO No.4997 of 2017(O&M)

Date of decision: 6.2.2020

Dharampal Singh and othersAppellants

VERSUS

Deepak Goel and othersRespondents

CORAM: **HON'BLE MRS. JUSTICE REKHA MITTAL**

Present: Mr. Sham Lal Bhalla, Advocate for the appellants.

Mr. Ayush Goyal, Advocate for
Mr. Vishal Aggarwal, Advocate for respondent No.3.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking enhancement of compensation on account of death of Jaswinder Kaur in a motor vehicular accident that took place on 05.04.2015.

The Motor Accidents Claims Tribunal, Patiala (in short 'the Tribunal') awarded Rs.6,84,000/- detailed hereunder:-

Monthly income of a house wife	Rs.3000/-
Deduction for personal expenses	1/3 rd
Multiplier	16
Loss of dependency	Rs.3,84,000/-
Loss of consortium to the husband	Rs.1,00,000/-
Loss of love and affection for family	Rs.1,00,000/-
Loss to estate	Rs.50,000/-
Funeral expenses	Rs.50,000/-

The deceased left behind family consisting of her husband, two minor children aged 10 years and 6 years. The value of services of a house-maker cannot be equated with that of daily wager. A house-maker has multifarious duties to perform and she is available to the family round the clock. Accordingly, value of services of the deceased is assessed at Rs.10,000/- per month. No deduction for personal expenses would be made in the light of Division Bench judgment of this Court **Paramjit Singh and another Vs. Dilbhagh Singh @ Bagga and others, 2013(3) Law Herald 2730**. Multiplier applied by the Tribunal is correct and affirmed. In this manner, loss of dependency comes to Rs.19,20,000/- (Rs.10000/- x 12 x 16).

Under conventional heads, compensation allowed by the Tribunal is modified to the effect that appellants shall be entitle to Rs.55,000/- detailed hereunder:-

Loss of consortium	Rs.40,000/-
Funeral expenses	Rs.15,000/-

In view of the above, total compensation comes to Rs.19,75,000/- and the additional amount is Rs.12,91,000/- (Rs.19,75,000/- - Rs.6,84,000/-) payable with interest at the rate of 7.5% per annum from the date of petition till realization to both the children in equal ratio, 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.

FEBRUARY 6, 2020

‘D. Gulati’

Whether speaking/reasoned :

Whether reportable :

(REKHA MITTAL)

JUDGE

yes/no

yes/no