

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

277

FAO-5508-2018 (O&M)

Date of decision: 14.02.2020

ZEENAT AND ANR.

... Appellants

Versus

JASBIR SINGH AND ORS.

... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Ms. Ekta Thakur, Advocate for the appellants.
Mr. Varun Sharma, Advocate insurance company.

REKHA MITTAL, J. (Oral)

The claimants are in appeal seeking additional compensation on account of death of Bhola Ram @ Pola Khan in a motor vehicular accident that took place on 09.09.2016.

The Tribunal awarded Rs.17,33,728/-, detailed hereunder:-

Monthly income of the deceased	Rs.17,188/-
Addition in income for future prospects	10%
Multiplier	11
Deduction for personal expenses	1/3 rd
Loss of dependency	Rs.16,63,728/-
Expenses on funeral	Rs.15,000/-
Loss of estate	Rs.15,000/-
Loss of consortium	Rs.40,000/-

Counsel for the appellants would argue that loss of dependency may be calculated by extending benefit of future prospects @ 15% as the deceased was an employee of Municipal Corporation, Chandigarh.

Counsel representing the insurance company has not refuted contention of the claimants that deceased was an employee of aforesaid corporation.

The Tribunal has allowed addition in income for future prospects @ 10% as against 15% available in case of a regular employee. As such, contention of the appellants that they are entitle to benefit of future prospects @ 15% is meritorious and allowed. Multiplier and deduction for personal expenses applied by the Tribunal are correct and affirmed. In this manner, loss of dependency is calculated at Rs.17,39,425/- [(17,188 x 12 x 11) + (15% future prospects) – (1/3rd deduction for personal expenses)].

Compensation allowed under conventional heads is correct and affirmed.

Total compensation is Rs.18,09,425/- and additional amount is Rs.75,697/- (18,09,425 - 17,33,728), payable with interest @ 7.5% per annum from the date of petition till realization, in terms of the award.

The appeal is partly allowed in the aforesaid terms.

14.02.2020

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No