

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

317

FAO-3165-2003

Date of Decision: 07.09.2022

Bhupinder Kaur and others

---Appellants

versus

Surinder Pal Singh and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr.Gurpreet Jayia, Advocate for
Mr. Jagdish Manchanda, Advocate
for the appellants.

Mr.R.C.Gupta, Advocate
for the Insurance Company.

JAGMOHAN BANSAL, J. (ORAL)

1. The appellants through instant appeal are seeking enhancement of compensation awarded by order dated 05.09.2001 passed by Motor Accident Claims Tribunal, Karnal (for short 'Tribunal) whereby learned Tribunal has awarded a sum of Rs.6,84,000/-along with interest @ 9% per annum from the date of filing of the claim petition.

2. Both the counsel for the parties agreed that amount of compensation may be determined in view of judgements of Hon'ble Supreme Court in **National Insurance Company vs. Pranay Sethi and others 2017 (16) SCC 680** and **Smt. Sarla Verma and others vs. Delhi Transport Corporation and another 2009 (6) SCC 121**.

3. Learned counsel for both the parties does not dispute the

amount of income assessed by learned Tribunal i.e. Rs.5779/- per month.

4. In view of statement of both the counsels, the amount of compensation in view of judgements of **Pranay Sethi's case (supra)** and **Smt. Sarla Verma's case (supra)** is determined as below :-

Particulars	Amount of compensation
Annual income of the deceased	69348
Future prospects	50.00%
Income after addition of future prospects	1,04,022
Deduction on account of personal expenses	1/4 th
Assessed income	78017
Multiplier (16)	12,48,272
Loss of estate	16500
Loss of consortium (44000X4)	176000
Funeral expenses	16500
Total	14,57,272

5. The appellants are entitled to interest @ 7.5% from the date of filing of claim petition till the date of actual payment. It is made clear that amount already paid would be deducted from claim determined hereinabove.

6. The respondent is directed to make payment within a period of eight weeks from today.

(JAGMOHAN BANSAL)
JUDGE

07.09.2022
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No