

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

416

FAO-4138-2012

Date of Decision: 14.09.2022

Panuli Devi and others

---Appellants

versus

Sharanjit Singh and others

---Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Ms. Deepika, Advocate for
Mr. Sandeep Kumar Yadav, Advocate
for the appellants.

Mr. V.K, Garg, Advocate
for respondent No.3- Insurance Company.

JAGMOHAN BANSAL, J. (ORAL)

1. The appellants through instant appeal are seeking enhancement of compensation awarded vide award dated 07.06.2010 passed by Motor Accident Claims Tribunal, Narnaul (for short 'Tribunal') whereby Learned Tribunal has awarded a sum of Rs.7,24,000/- along with interest @ 9% per annum from the date of filing of the claim petition.

2. Learned counsels appearing for both the parties contended that question of quantum of compensation stands settled by a five-Judge Bench of Hon'ble Supreme Court in **National Insurance Company vs. Pranay Sethi and others 2017 (16) SCC 680** and a three-Judge Bench of Hon'ble Supreme Court in **Smt.**

Sarla Verma and others vs. Delhi Transport Corporation and another 2009 (6) SCC 121. Both the counsels agreed that amount of compensation may be re-calculated in view of afore-stated judgments.

3. There is no dispute with respect to annual income assessed by learned Tribunal. As there is no dispute qua annual income of deceased, the amount of compensation, in view of afore-stated judgements of Hon'ble Supreme Court is re-determined as below :-

Particulars	Income (in Rs.)
Annual income of the deceased	84,000
Future prospects	40.00%
Income after addition of future prospects	1,17,600
Deduction on account of personal expenses	50.00%
Assessed income	58800
Multiplier (17)	999600
Loss of estate	16500
Loss of consortium (44000X3)	1,32,000
Funeral expenses	16500
Total	1164600

4. 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.

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

6. The appeal is disposed of in the abovesaid terms.

(JAGMOHAN BANSAL)
JUDGE

14.09.2022
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No