

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

FAO-5843-2019 (O&M)
Date of decision : 28.10.2022

Murti Devi & Anr.

... Appellant(s)

Versus

Pardeep & Ors.

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Satyavir Singh Yadav, Advocate for the appellants.

ALKA SARIN, J. (ORAL)

The present appeal has been preferred against the award dated 28.05.2019 passed by the Motor Accident Claims Tribunal, Sonapat (in short 'Tribunal') whereby compensation of Rs.17,28,000/- along with interest @ 9% per annum has been awarded to the claimant-appellants.

Learned counsel for the claimant-appellants has contended that the compensation is on the lower side.

Heard.

Brief facts relevant to the present *lis* are that the deceased, who was 28 years of age and was stated to be working as a Conductor on truck bearing Registration No.HR-46D-5552 owned by JMK Transport, Rohini, Delhi and earning Rs.12,000/- per month, died in a motor vehicle accident on 07.03.2018 which occurred due to the rash and negligent driving of the driver of the truck bearing registration No.HR-46D-5552.

On the basis of the pleadings of the parties and the evidence on

the record, the Tribunal has awarded the following compensation :

Sr. No.	Heads	Compensation Awarded
1	Monthly Income of the deceased	Rs.8497/-
2	Future prospects @ 40%	Rs.3398/-
3	Total monthly income	Rs.8497+3398 = 11895/-
4	Annual income of the deceased	Rs.11895x12 = 1,42,740/-
5	Annual income after 1/3rd deduction towards personal expenses	Rs.142740-47580 = 95160/-
6	Multiplier 17	Rs.95160x17 = 16,17,720/-
7	Loss of parental and filial consortium	Rs.40,000x2 = 80,000/-
8	Under conventional heads	Rs.30,000/-
	Grand Total	Rs.17,27,720/- rounded to Rs.17,28,000/-
	Interest	9% per annum

In view of the law laid down by the Supreme Court in the cases of **Magma General Insurance Company Limited vs. Nanu Ram alias Chuhru Ram & Ors. [2018 (18) SCC 130]**; **National Insurance Company Ltd. vs. Pranay Sethi & Ors. [(2017) 16 SCC 680]**; **Sarla Verma & Ors. vs. Delhi Transport Corporation & Anr. [(2009) 6 SCC 121]**, the compensation awarded by the Tribunal is as per the law laid down. There is no scope for further enhancement in the present case.

In view of the above, I do not find any merit in the present appeal and the same is, accordingly, dismissed. Pending applications, if any, also stand disposed off.

28.10.2022
Yogesh Sharma

(ALKA SARIN)
JUDGE