

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

228

FAO-262-2016 (O&M)
Date of decision: 14.12.2022

Balwinder Singh and anotherAppellants

Versus

Munish Kumar and othersRespondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Vipul Sharma, Advocate as Amicus Curiae
for the appellants.

MANJARI NEHRU KAUL, J. (ORAL)

CM-756-CII-2016

For the reasons mentioned in the application, the same is
allowed and delay of 51 days in filing the appeal is condoned.

FAO-262-2016

The instant appeal has been preferred by the claimants to
impugn the award dated 13.07.2015 passed by the learned Motor
Accidents Claims Tribunal, Kaithal (for short, 'the Tribunal') wherein
the following compensation was awarded to them on account of death
of their son Badal Singh, aged 12 years (hereinafter referred to as 'the
deceased'), in a motor vehicular accident which took place on
21.11.2023:-

Sr. No.	Head	Amount
1.	Notional Income (per annum)	Rs.30,000/-
2.	Compensation after applying multiplier of '15'	Rs.4,50,000/-
3.	Last rites	Rs.20,000/-
4.	Loss of love and affection	Rs.1,00,000/-
5.	Loss of estate	Rs.10,000/-
	Total compensation	Rs.5,80,000/-

The respondents were held jointly and severally liable to pay the amount of compensation to the claimants, along with interest @ 7.5% per annum, from the date of filing of the petition till its realization.

Learned amicus curiae appearing on behalf of the appellants at the outset has very fairly conceded that the compensation awarded to the claimants was in consonance with the settled ratio of law as laid down in *Krishan Gopal and another Vs. Lala and others : 2013(10) Scale 580* and *Reshma Kumari Vs. Madan Mohan : 2013(9) SCC 65* as only the notional income of the deceased in the sum of Rs.30,000/- per annum had to be taken and a multiplier of 15 had to be applied while assessing the compensation to be awarded to the claimants which has been correctly done by the Tribunal while passing the impugned award.

I have heard learned amicus curiae and perused the relevant material on record.

Admittedly, in the case in hand the deceased was a 12 year old boy. In the circumstances, the compensation awarded by the learned Tribunal comes across as being just, adequate and as per the settled ratio of law laid down in *Krishan Gopal's case (supra)* and *Reshma Kumari's case (supra)*.

Accordingly, the instant appeal being devoid of any merit is dismissed.

14.12.2022

Vinay

(MANJARI NEHRU KAUL)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No