

(107 -1) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO-1845-2017 (O&M)
Date of Decision : 15.03.2023

Pardeep & Ors ...Appellants

Versus

Satish & OrsRespondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Digvijay, Advocate for
Mr. Ashish Gupta, Advocate for the appellants.

Mr. Neeraj Khanna, Advocate for respondent No.3.

B.S. Walia, J. (Oral)

[1] Challenge in the instant appeal is to award dated 18.11.2016 passed by the learned Motor Accident Claims Tribunal, Narnaul awarding compensation of Rs.9,01,200/- to the appellants/claimants on account of death of Pawan Kumar son of Ganga Ram, aged 48 years.

[2] Learned counsel for the appellants contends that the only grievance of the appellants is that no amount was awarded on account of spousal/parental consortium, whereas in view of the decision of Hon'ble the Supreme Court in **Magma General Insurance Co. Ltd. vs. Nanu Ram alias Chuhru Ram, 2018 (4) RCR (Civil) 333**, the appellants are entitled to award of Rs.44,000/- each on account of loss of parental consortium.

[3] Learned counsel for the respondent/Insurance Company does not oppose the aforementioned claims in view of the decision of Hon'ble the Supreme Court in Magma General Insurance Company Ltd.'s case (supra).

[3] Accordingly, in view of the position noted above, the appellants are held entitled to award of Rs.44,000/- each on account of loss of parental consortium (i.e. Rs.44000/- x 3 = **Rs.1,32,000/-**) in addition to the compensation already awarded by the Tribunal.

[4] In the light of the position noted above, the appeal is allowed and as against compensation of Rs.9,01,200/- awarded by the learned Motor Accident Claims Tribunal, Narnaul along with interest @ 9% per annum, the appellants are held entitled to (Rs. 9,01,200/- + Rs.1,32,000/-) =**Rs.10,33,200/-** along with interest @ 9% per annum with effect from the date of the claim petition till date of payment, less payment if any already made, in the proportion as ordered by the learned Tribunal.

(B.S. Walia)
Judge

15.03.2023
amit/rajesh

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