



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

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**FAO-2469-2016 (O&M) with
XOBJC-30-2019 (O&M)
Date of decision : 11.11.2024**

Reliance General Insurance Company Ltd.

..... Appellant

versus

Bala Devi and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

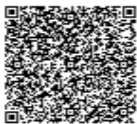
Present: Mr. Sanjeev Kodan, Advocate
for the appellant.

Mr. Jasmeet Singh, Advocate
for respondent No.4/cross-objectors.

PANKAJ JAIN, J. (Oral)

1. Insurance company is in appeal aggrieved of the award passed by MACT, Panipat dated 20.2.2016 in MACT case No.40 of 2014. Claimants have preferred cross objections.

2. Claim petition was filed by the claimants under Section 166 of the Motor Vehicles Act seeking compensation on account of death of Yas Pal s/o Ram Pal who died in a motor vehicular accident on 09.01.2014. There is no serious dispute with respect to findings recorded by the Tribunal on issue No.1 and 3. The main dispute relates to finding on issue No.2 i.e. quantum of compensation. Deceased was a student of B.A. 2nd year, aged about 21 years. His income needs to be assessed notionally. Keeping in view the date of accident i.e. 09.01.2014, minimum wages as notified by the State of Haryana for the relevant period for a semi skilled worker needs to be taken as income of the



deceased. Minimum wages notified for the relevant period is Rs.13,050/-. Tribunal granted future prospects @ 50% which need to be modified to 40%. Dependency has to be taken as 1/2. Multiplier applicable in terms of *‘Smt. Sarla Verma & others vs. Delhi Transport Corporation & another’ (2009) 6 SCC 121*, will be 18. Each of the claimants will be entitled for loss of consortium @ 44,000/-. Claimants also need to be awarded a sum of Rs.18,000/- under each head of funeral expenses and loss of estate.

3. With the aforesaid modification, the appeal as well as cross objections are disposed off. Claimants shall be entitled for interest as granted by the Tribunal for a period commencing from the date of filing of the petition till actual realization. Needless to say, amount already paid shall be set off and adjusted.

4. Ordered accordingly.

5. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

11.11.2024
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No