



FAO-242-1995 &
FAO-243-1995

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of decision : 22.01.2025

1. FAO-242-1995

Raj Karan Yadav Appellant

versus

Ajay Shankar and others Respondents

2. FAO-243-1995

Pushpa Devi and others Appellants

versus

Ajay Shankar and others Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: None for the appellants.

Mr. Lalit Garg, Advocate
for the respondent-Insurance Company.

PANKAJ JAIN, J. (Oral)

1. These are two appeals preferred by the claimants.
2. FIR No.243 of 1995 is a death case. Claimants seek compensation on account of death of Rajesh, who died at the age of 23 years in a motor vehicular accident. Tribunal awarded an amount of Rs.1,53,600/-. The revised compensation payable to the claimants is tabulated here as under:-

Income	1200/-
Future prospects	40% = 1680/-
Deduction	1/3d (1680/3) = 1120/- (monthly income)
Multiplier	18
Annual income	1120x12 = 13,440/-
Total	Rs.2,41,920/-



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Conventional Heads	
Loss of consortium	48,000x3 = 1,44,000/-
Loss of estate	18,000
Loss of funeral expenses	18,000
Total	4,21,920/-
After deducting the amount already granted by Tribunal	1,53,600
Total enhancement	2,68,320/-

3. FAO No.242 of 1995 is at the behest of Raj Karan Yadav- the insured who suffered permanent disability to the extent of 5%. The revised compensation is payable is tabulated here as under:-

Income	931/-
Under the head of disability	2000x22% = 44,000/-
Pain and suffering	50,000/-
Diet	2,000/-
Transport charges	2,500/-
Attendant charges	2,500/-
Actual bills granted by Tribunal	8,900/-
Loss of enjoyment	5,000/-
Total	1,14,900/-
After deducting the amount already granted by Tribunal	58,900
Total enhancement	56,000/-

4. Claimants are further held entitled for interest @ 9% per annum from the date of filing of the petition till the date of actual realization.
5. With the aforesaid modification in the impugned award, the appeals are disposed off.
6. A photocopy of this order be placed on the file of other connected case.

(PANKAJ JAIN)
JUDGE

22.01.2025

Dinesh

Whether speaking/reasoned :
Whether Reportable :

Yes
No