

**FAO-4464-2001(O&M)****216 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****FAO-4464-2001(O&M)
Date of decision: 06.02.2025****Kanti and others****..Appellants****Versus****Ramesh Kumar and others****..Respondents****CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Sandeep Goyal, Advocate for the appellants
Mr. R.K.Bashamboo, Advocate for the Insurance Company

ANIL KSHETARPAL, J. (Oral)

1. This appeal has been filed by the claimants. The only question is with regard to enhancement in compensation of Rs.2,31,280/- payable to the claimants on account of death of late Sh.Mohinder, aged about 35 years. The only issue for adjudication is with respect to appropriate amount of compensation. The Tribunal has assumed the income of the deceased at the rate of Rs.2000/- per month. After applying 1/3rd deduction towards personal expenses, the Tribunal has applied multiplier of 14 and amount of Rs.7,000/- has been awarded towards transportation of the body and performing the last rites.

2. Heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

3. The accident took place on 10.02.2000. Keeping in view the age of the deceased, appropriate multiplier would be 16 and not 14. The income of the deceased is required to be increased by 40% on account of future prospects. In this case, the dependency will be 1/4th since the deceased has left behind as many as 5 dependents including his widow, three



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minor children and widowed mother. Each of the claimant shall be entitled to loss of consortium at the rate of Rs.40,000/- each. For loss of estate and funeral expenses, the claimants shall be entitled to Rs.15,000/- each. The amount of compensation is revised as under:-

Heads	Amount awarded by Tribunal	Amount awarded by High Court
Monthly income	2000/-	2000/-
Future prospects	Nil	40% of 2000= 800/-
Monthly income	2000/-	2000+800= 2800/-
Dependency	1/3rd of 2000 = 666.66 i.e 660/- 2000-660= 1340/-	1/4th of 2800 = 700 i.e 2800-700= 2100
Annual income	1340x12=16,080/-	2100x12= 2,52,000/-
Multiplier	14 16080x14=2,24,280/-	16 252000x16=4,03,200/-
Consortium	-	40,000/- each claimant 40000x5= 2,00,000/-
Loss of estate	-	15,000/-
Funeral expenses	-	15,000/-
Expenses for transportation of body	7000/-	-
Total compensation	2,31,280/-	6,33,200/-
Difference	6,33,200-2,31,280/- = 4,08,920/-	

4. The claimant shall be entitled to difference in amount of compensation alongwith interest at the rate of 8% per annum from the date of filing of the claim petition till its payment. The enhanced compensation shall be divided in the same proportion as ordered by the Tribunal.

5. Accordingly, the appeal stands disposed of.

6. All the pending miscellaneous applications, if any, are also disposed of.

06.02.2025

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Whether speaking/reasoned
Whether reportable

(ANIL KSHETARPAL)
JUDGE

Yes/No
Yes/No