

**(2018) 03 P&H CK 0172**

**In the Punjab And Haryana At Chandigarh**

**Case No :** First Appeal Order No. 3101 of 2005 (O&M)

Birawa Bai And Ors

APPELLANT

Vs

Jagdish Singh And Ors

RESPONDENT

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**Date of Decision :** 22-03-2018

**Acts Referred:**

**Citation :** (2018) 03 P&H CK 0172

**Hon'ble Judges :** Surinder Gupta, J

**Bench :** Single Bench

**Advocate :** Sagar Aggarwal

**Final Decision :** Allowed

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## **Judgement**

(i),Name of the deceased,Nihal Chand

(ii),Age of the deceased,55 years

(iii),Income of the deceased,Rs.3000 p.m.

(iv),"Deduction towards personal expenses @

1/3rd","Rs.3000-1000=Rs.2000 p.m.

i.e. Rs.24000 p.a.

(v),Multiplier applied 8,"Rs.24000X8 = Rs.1,92,000/-

(vi),Funeral expenses,Rs.3000

(vii),Loss of consortium,Rs.5000

Total,,,"Rs.2,00,000/-

Sl.No.,Heads,Calculation

(i),Income of the deceased,Rs.3000 per month

(ii),10% of above (i) to be added as future prospects,"(Rs.3000+Rs.300)=

Rs.3300 per month

(iii),"Deduction of 1/4th towards personal expenses of the deceased", "(Rs.3300-Rs.825)=

Rs.2475 per month

(iv), Compensation after multiplier of 11 is applied, "(Rs.2475X12X11)=  
Rs.326700

(v),"Compensation under conventional heads (loss of consortium, estate and funeral expenses)", Rs.40000

Total,, "Rs.3,66,700/-

compensation will carry interest @ 7% per annum from the date of filing of the appeal till actual realisation. The amount of enhanced compensation,,

shall be apportioned between the claimants in equal shares. Respondent No.3- insurance company will deposit the share of appellants-claimants, who",,,

are major, in his bank account or pay the same through demand draft. The share of minor appellants-claimants, if any, will be deposited in some",,,

nationalised bank as fixed deposits till the period they attain majority. It is, however, made clear that the bank may take the documents regarding the",,,

age of the minors as required at the time of deposit of the amount and the minors shall not be asked to bring the fresh order from the Tribunal to get,,

the payment of the amount deposited in their names after the date of attaining majority. The above direction has been issued to save the claimants,,

from unnecessary harassment caused due to directions the bank usually give to bring the order of the Tribunal to get the payment even after attaining,,

the age of majority. The claimants shall also be entitled to costs of this appeal. In case of demise of any of above claimant(s) before his/her share of,,

compensation is disbursed, the same shall be apportioned equally amongst other surviving claimants.",,