

(2006) 01 CHH CK 0034

In the Chhattisgarh High Court

Case No : Miscellaneous Appeal No. 1461 of 2005

Gurdeep Singh Chabda and Another

APPELLANT

Vs

Daljeet Singh and Others

RESPONDENT

Date of Decision : 18-01-2006

Acts Referred:

Citation : (2006) 1 CGLJ 421

Hon'ble Judges : S.R. Nayak, C.J.; Dilip Raosaheb Deshmukh, J

Bench : Full Bench

Advocate : Shivendu Pandya, for the Appellant; A.K. Gupta, Kumar Agrawal, for Respondent No. 2, Ali Asgar and Prashant Jaiswal, for the Respondent

Final Decision : Allowed

Judgement

S.R. Nayak, C.J.—In this appeal preferred by the dependants of the deceased seeking more compensation, what was contended by the learned Counsel for the Appellants is that the M.A.C.T. is not justified in not awarding any compensation under the conventional heads, such as, "loss of consortium" and "loss of estate". It is needless to state that the above heads are the permissible heads. The claimants in the death case are entitled to reasonable compensation under more heads. We are at loss to understand why the M.A.C.T. has not awarded any compensation under the above heads.

2. In the result, we award a sum of Rs. 25,000/- towards "loss of consortium" to the widow and a sum of Rs. 25,000/- towards "loss of estate". The impugned award shall stand modified accordingly.

3. The appeal is allowed to the above extent. The parties shall bear their respective costs.