

(2005) 12 CHH CK 0008
In the Chhattisgarh High Court

Kamini Bai and Others

APPELLANT

Vs

Kumar Chandrakar and Others

RESPONDENT

Date of Decision : 20-12-2005

Acts Referred:

Citation : (2006) 2 ACC 347

Hon'ble Judges : S.R. Nayak, C.J.; Satish K. Agnihotri, J

Bench : Full Bench

Judgement

S.R. Nayak, C.J.—This is an appeal preferred by the dependants of the deceased seeking more compensation. The appellants are widow, minor child and parents of the deceased. The only contention raised by Mr. Verma, learned Counsel for the appellants in the course of argument is that what is awarded towards conventional heads as compensation is very much on lower side.

2. We have perused the impugned award. The M.A.C.T. has awarded sum of Rs. 5,000 towards loss of consortium and loss of love and affection and Rs. 3,000 towards funeral expenses. It has not awarded any compensation towards loss of estate. As we repeatedly said and reiterated in our orders recently handed down that even the compensation to be awarded by the M.A.C.T. under conventional heads should reflect time and place and it cannot be static for all the time. Therefore, we award Rs. 20,000 towards loss of consortium to the widow, Rs. 20,000 towards loss of love and affection to minor child and another Rs. 20,000 towards loss of the estate. The impugned award shall stand modified accordingly and in all other respects the impugned award shall remain unaltered.

3. In the facts and circumstances of the case, both the parties are directed to bear their respective costs in this appeal.