
(2001) 01 P&H CK 0170
In the Punjab And Haryana At Chandigarh
Case No : F.A.O. No. 1964 of 1995 (O and M)

Mangal Singh

APPELLANT

Vs

Union of India

RESPONDENT

Date of Decision : 10-01-2001

Acts Referred:

Motor Vehicles Act, 1988 — Section 166

Citation : (2001) 2 RCR(Civil) 45

Hon'ble Judges : R.L. Anand, J

Bench : Single Bench

Advocate : Mr. Arun Jindal, for the Appellant; Mr. Kamal Sehgal, for the Respondent

Judgement

R.L. Anand, J.—I have heard the learned counsel for the parties and with their assistance have gone through the record of this case.

2. Jaswinder Singh, a young boy of 20 years and was unmarried, died in an accident. He was a Driver of a Tankar by profession. The accident took place on 12th May, 1993 with an Army vehicle. The claim petition was filed by the parents Mangal Singh-father and his wife Raksha Devi. The Tribunal awarded a sum of Rs. 1,44,000/- as compensation besides interest @ 12% p.a. from the date of filing of the claim petition till payment. The matter was referred to the Lok Adalat whcih suggested that a sum of Rs. 1,65,800/- be paid to the claimants. Against the proposal of Lok Adalat, the objections have been filed by the Union of India. In my opinion, the objections filed by the respondents are without any merit. Even if, it is assumed for the sake of arguments that the deceased was earning Rs. 2000/-per month, yet the dependency of the claimants can be assessed at Rs. 1000/- p.m. and in this case, a multiplier of 16 can be safely applied. Thus, the amount of compensation which could be awarded by the Tribunal comes to Rs. 1,92,000/-, In these circumstances, proposal of the Lok Adalat cannot be held to be harsh and unjustified.

Resultantly, the present appeal is allowed and it is directed that the claimants

shall get an amount of Rs. 1,65,800/- as compensation alongwith interest @ 12% p.a. from the date of filing of the claim petition till payment. The amount, if any, paid by the respondents shall be adjusted out of the awarded amount. No order as to costs. The respondents are directed to pay the amount of compensation within a period of three months.

3. Appel allowed.