

(2021) 06 SHI CK 0042

In the High Court Of Himachal Pradesh

Case No : First Appeal Order (MVA) No. 115 Of 2019

New India Assurance Company Limited

APPELLANT

Vs

Sarla Devi And Others

RESPONDENT

Date of Decision : 16-06-2021

Acts Referred:

Motor Vehicles Act, 1988 — Section 140, 166

Citation : (2021) 06 SHI CK 0042

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Praneet Gupta, Ashok Verma, Romesh Verma

Judgement

Issue No. 1:,Yes.,

Issue No. 2:,"Yes. The petitioners are entitled to get compensation to the tune of Rs.10,26,000/Â? (Rupees ten lacs and twenty six thousands only) with interest from all the respondents",

Issue No. 3:,No.,

Issue No. 4:,No.,

Issue No. 5:,No.,

Relief,The claim petition is allowed as per operative portion of the award.â??,

Sr. No,Heads,Calculation

(i),Income of deceased,"Rs.4,000/- per month

(ii),"1/4th of the income deducted as personal expenses of the deceased=", "Rs.4,000-1,000=Rs.3,000/- per month

(iii),Compensation after multiplier of 11 is applied,"(Rs.3,000 x 12

x11)=Rs.3,96,000/-.

(iv),Loss of consortium/love and affection., "Rs.40,000/- each to petitioners No. 1 to 3, i.e., total Rs.1,20,000/-.

(v),Last rites and Funeral Charges,"Rs.15,000/-

Total compensation awarded=,, "Rs.5,31,000/-