
(2018) 03 P&H CK 0050
In the Punjab And Haryana At Chandigarh
Case No : FAO No.7297 of 2016

Nirmala and Ors.

APPELLANT

Vs

Baldev Singh and Ors.

RESPONDENT

Date of Decision : 06-03-2018

Acts Referred:

Indian Penal Code, 1860 — Section 279, 304A, 337

Citation : (2018) 03 P&H CK 0050

Hon'ble Judges : RITU BAHRI, J

Bench : Single Bench

Advocate : Raj Kapoor Malik

Final Decision : Allowed

Judgement

Sr.No.,Heads of compensation,Amount

1,Income per month,"Rs.10,000/-

2.,Deduction $\hat{A}\frac{1}{4}$,Rs.10000/- ----Rs.2500/-= Rs.7500/-

3., "Annual loss of dependency after

applying multiplier", "Rs.7500/- X 12 X 17= Rs.15,30,000

4.,Loss of love and affection,"Rs.1,00,000/-

5.,Last rites and transportation,"Rs.20,000/-

6.,Consortium,"Rs.75,000/-q

,Total,"Rs.17,25,000/-

Keeping in view the above, the amount of Rs.2 Lacs which had been deposited by the Insurance Company before the learned Tribunal in favour of",,

proforma respondent No.4 i.e. Sonia now be released in favour of appellant No.3/ Mahak as her mother is not entitled for the same and with respect of,,

enhanced amount of compensation, rest of the conditions of payment will be same.",,

Appellants No.4 and 5 i.e. sister of the deceased-Kapil Dev shall not be entitled for any compensation in view of the larger Bench of the judgment of,,

Supreme Court in the case of Pranay Sethi supra.,,

Resultantly, the enhanced amount of compensation of Rs.2,08,932/- shall be payable within a period of forty five days from the date of receipt of",,,

certified copy of this order. The enhanced amount of compensation shall carry interest @ 7.5% per annum from the date of filing of the claim petition",,,

till its realization, in view of the judgment of Hon'ble the Supreme Court in a case of Shri Nagar Mal and Ors Vs. The Oriental Insurance Company",,,

Ltd. And ors. in Civil Appeal No.448 of 2018.,,

Remaining conditions of disbursal of amount shall remain unaltered. With the aforesaid modification in the impugned award, the appeal is allowed to",,,

the above extent.,,