(2018) 11 P&H CK 0066

In the Punjab And Haryana At Chandigarh

Case No : First Appeal From Order No.3832 of 2015 (O&M)

P.R.T.C APPELLANT

Vs

P. Shanmuga Raja Nadar @ Shanmuga Raja P. And Ors RESPONDENT

Date of Decision : 14-11-2018

Acts Referred:

Motor Vehicles Act, 1988 — Section 166
Code of Civil Procedure, 1908 — — Order 41 Rule 33

Citation : (2019) 1 RCR(Civ) 68

Hon'ble Judges : Tejinder Singh Dhindsa, J

Bench : Single Bench

Advocate : Anupam Singla, Ashwani Arora

Final Decision : Dismissed

Judgement

Sr. No.,Heads,Calculation

i),Assessed monthly income,"Rs.10,000/- P.M.

ii),"50% (i) above to be increased in the name of

future prospects","Rs.10,000+Rs.5,000=

Rs.15,000/-

iii),"1/3rd of (ii) above deducted as personal

expenses of deceased","Rs.15,000-Rs.5,000=

Rs.10,000/-

iv),"Compensation after multiplier of '16' is

applied","Rs.10,000x12x16=

Rs.19,20,000/-

v),"Loss of love and affection of mother and security to claimants no.2 and 3","Rs.1,00, 000/- (i.e. Rs.50,000/-

each)

vi),Loss of consortium to claimant no.1,"Rs.1,00,000/-

vii),Medical Expenses,"Rs.1,01,428/-

viii),Funeral expenses,"Rs.25,000/-

,Total compensation awarded,"Rs.22,46,428/-

Sr. No.,Head,Amount

1,Monthly income (as assessed by the Tribunal),"Rs.10,000/-

2,"Addition in income towards role of

housewife/mother.","Rs.3,000/- per month

3,Total monthly income,"Rs.13,000/-

4,"40% addition in income towards future

prospects.","Rs.5200/-

13,000+5200=18,200/-

5,"1/3rd deduction towards personal and living

expenses of the deceased.","6066/-

18,200-6066=12,134/-

6,Amount after applying multiplier of 16,"12,134x12x16=23,29,728/-

7,"Conventional heads i.e. loss of consortium, loss

of estate and funeral expenses etc.","70,000/-

8,Total compensation amount,"23,29,728+70,000=

Rs.23,99,728/-

