

(2018) 03 P&H CK 0174

In the Punjab And Haryana At Chandigarh

Case No : First Appeal Order No. 8401, 8402, 8430, 8470 of 2014, 1271, 2340, 2780, 6726 of 2015 (O&M)

Shri Ram General Insurance Company Ltd

APPELLANT

Vs

Samina And Ors

RESPONDENT

Date of Decision : 23-03-2018

Acts Referred:

Motor Vehicles Act, 1988 — Section 166

Citation : (2018) 03 P&H CK 0174

Hon'ble Judges : Surinder Gupta, J

Bench : Single Bench

Advocate : Arun Sharma, T. K. Joshi, Sanjeev Kumar Panwar, Ashish Gupta, Arjun Atri, Manjeet Kumar, Mohammad Arshad, S.K. Bawa, Shiva Khurmi

Final Decision : Disposed off

Judgement

Sl.No.,Heads,Calculation

(i),Income of the deceased,Rs.6000/- per month

(ii),40% of above (i) to be added as future prospects,"(Rs.6000+Rs.2400)=
Rs.8400 per month

(iii),"Deduction of 1/3 towards personal expenses of
rd

the deceased","(Rs.8400-Rs.2800)=
Rs.5600 per month

(iv),Compensation after multiplier of 17 is applied,"(Rs.5600X12X17)=
Rs.1142400

(v),Loss of estate,Rs.15000

(vi),Funeral/burial expenses,Rs.15000

Total,, "Rs.11,72,400/-

(vii) FAO-2780-2015 Allowed,,

(viii) FAO-6726-2015 Allowed,,

As discussed above, the amount of compensation awarded to claimants is enhanced in all these aforesaid appeals. The enhanced amount of",,,

compensation shall be shared by the appellants-claimants in equal shares (except in FAO-2340-2015 in which, the entire enhanced amount of",,,

compensation shall be paid to the minor daughters of deceased). The liability to pay the enhanced amount of compensation shall be as per the award.,,,

The enhanced amount of compensation will carry interest @ 7% per annum from the date of filing of the appeal till actual realisation. Respondent-,,

insurance company will deposit the shares of appellants-claimants, who are major, in their bank accounts or pay the same through demand drafts. The",,,

share of minor appellants-claimants, if any, will be deposited in some nationalised bank as fixed deposits till the period they attain majority. It is",,,

however, made clear that the bank may take the documents regarding the age of the minors as required at the time of deposit of the amount and the",,,

minors shall not be asked to bring the fresh order from the Tribunal to get the payment of the amount deposited in their names after the date of,,

attaining majority. The above direction has been issued to save the claimants from unnecessary harassment caused due to directions the bank usually,,

give to bring the order of the Tribunal to get the payment even after attaining the age of majority. The claimants shall also be entitled to costs of these,,

appeals.,,,