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## (1993) 09 P&H CK 0010

## High Court Of Punjab And Haryana At Chandigarh

Case No: None

Nawal Singh and Others

**APPELLANT** 

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Thakur Dass and Another

**RESPONDENT** 

Date of Decision: Sept. 10, 1993

**Acts Referred:** 

• Motor Vehicles Act, 1988 - Section 110A

**Citation:** (1994) 1 ACC 714

Hon'ble Judges: Amarjeet Chaudhary, J

Bench: Single Bench

## **Judgement**

## Amarjeet Chaudhary, J.

The Motor Accident Claims Tribunal, Gurgaon, vide its award dated 14.9.1984, on a claim petition u/s 110-A of the Motor Vehicles Act had awarded Rs. 86,400/- as compensation with 8% interest on account of the death of Mohan. Dissatisfied with the award, claimants have filed this appeal for enhancement of compensation.

- 2. The learned Counsel for the appellants contends that the deceased was a skilled worker and was earning about Rs. 1,500/- per month. The Tribunal, however, assessed the monthly income of the deceased at Rs. 600/-. Counsel further argued that proper rate of interest has not been awarded to the claimants.
- 3. On the consideration of the matter, I have reached the conclusion that this appeal deserves to be allowed.
- 4. The deceased was a skilled worker and his monthly income could not be less than Rs. 750/- After deducting one third towards personal expenses of the deceased, the monthly dependency of the claimants would be Rs. 500/- i.e. Rs. 6,000/- annually, Taking into consideration the age of the deceased and by applying a multiplier of 18 the total compensation would come to Rs. 1,08,000/- The claimants shall also be entitled to 12% interest from the date of application till its realization. Out of the

amount of compensation of Rs. 1,08,000/- the amount of compensation already awarded by the Tribunal is to be adjusted.

5. The appeal is allowed to the extent indicated above, No costs.