
(1993) 09 P&H CK 0010

High Court Of Punjab And Haryana At Chandigarh

Case No: None

Nawal Singh and Others

APPELLANT

Vs

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.