

(2014) 05 P&H CK 0481

High Court Of Punjab And Haryana At Chandigarh

Case No: FAO No. 37 of 2003

Rajjak and Another

APPELLANT

Vs

Rashid and Other

RESPONDENT

Date of Decision: May 28, 2014

Hon'ble Judges: K. Kannan, J

Bench: Single Bench

Advocate: Sunil K. Rana, Advocate for the Appellant; Suvir Dewan, Advocate for Insurance Company, Advocate for the Respondent

Final Decision: Partly Allowed

Judgement

K. Kannan, J.

The appeal is for enhancement of compensation for death of a male aged 16 years in an accident that took place on 04.02.2001. The claimants were parents. The contention was that the boy used to assist the parents in vending the milk and earning about Rs. 2500/- per month. The Tribunal assessed a compensation of Rs. 1,30,000/-.

2. For a boy aged 16 years the assessment made at Rs. 1800/- per month, I would take to be a notional income and I will see no scope for making a further prospect of increase for notional income. I will rework the compensation and tabulate the same as under:-

3. There shall be an award of Rs. 2,56,400/-. The additional amount of compensation over what has already been provided by the Tribunal shall also attract interest @7.5% from the date of petition till the date of payment. The liability shall be on the insurance company.

4. The award stands modified and the appeal is allowed to the above extent.