



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

137-4

**FAO-3020-2021 (O&M)
Date of decision : 08.04.2025**

Mafi and another

..... Appellants

versus

Dinesh and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Pawan Attri, Advocate
for the appellants.

Mr. Vishal Aggarwal, Advocate
for respondent No.3-Insurance co.

PANKAJ JAIN, J. (Oral)

CM-12592-CII-2021

This is an application for condonation of delay of 576 days in filing the appeal.

For the reasons mentioned in the application, the same is allowed. Delay of 576 days in filing the appeal stands condoned.

Main case

1. Claimants are in appeal seeking enhancement of compensation on account of death of Dinesh in a motor vehicular accident dated 02.05.2016. The short issue involved is regarding quantum of compensation.

2. Deceased was 27 years of age at the time of accident. It has been claimed that he earned Rs.25,000/- per month from the dairy farm operated by him. In the absence of there being any evidence to prove the same, Tribunal has taken notified wages @ Rs.8,000/- per month as the



wages of the deceased. Loss of dependency has been calculated after applying 1/3th deduction which needs no modification. Multiplier of 17 has been rightly applied. Rs.15,000/- has been awarded towards funeral expenses which needs no modification. Both the claimants have been rightly granted consortium @ Rs.40,000/- in view of law laid down by Supreme Court in the case of *Magma General Insurance Company Limited vs. Nanu Ram @ Chuhru Ram and others.*

3. Finding no scope of enhancement, the present appeal is dismissed.

4. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

08.04.2025

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : No