



Arjun Dass & ors.

..... Appellants

versus

Raj Kumar & ors.

..... Respondents

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Ms. Kamlesh, Advocate
for the appellants.

None for respondent No.2.

Mr.D.P.Gupta, Advocate
for respondent No.3/Ins. Co.

PANKAJ JAIN, J. (ORAL)

1 Claimants have assailed the quantification of the compensation awarded by MACT, Kurukshetra.

2 Deceased Ramesh Chand died in the motor vehicular accident dated 01.06.2006 leaving behind Geeta Devi-widow, Manprit Kaur-minor daughter, Virender Kumar minor son, Arjun Dass and Jasmero old parents. He was 35 years of age and was working as Truck Driver earning Rs.5,000/- per month.

3 Tribunal while quantifying the compensation has assessed the monthly income of the deceased as Rs.4,500/-. The same deserves to be maintained. Nothing was awarded on account of future prospects. 40% future prospects need to be awarded. Keeping in view the number of dependents, 1/4th deduction needs to be applied instead of 1/3rd. Multiplier



of 15 has been rightly applied. Each of the claimants are held entitled for an amount of Rs.40,000/- on account of loss of consortium. The claimants are also entitled for an amount of Rs.18,000/- under each of the heads of loss of estate and funeral expenses.

4 Needless to say that the appellants shall be entitled to interest @7% per annum on the enhanced amount for the period commencing from date of filing of the application till the date of actual realization. Anything already paid to the claimants be set off.

5 With the aforesaid modification, the appeal is disposed off.

19.03.2025
Pooja Sharma-I

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No