

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.6709-6710/2022
(@SPECIAL LEAVE PETITION (CIVIL) NOS.16472-16473/2022
(@SPECIAL LEAVE PETITION (CIVIL) Diary No.10677/2020)

CHARANJIT KAUR & ANR.

Petitioner(s)

VERSUS

GOBIND & ANR.

Respondent(s)

O R D E R

Leave granted.

The appellants are the claimants under the Motor Vehicle Act, 1985.

Their claim arises out of an accident which took place on 15-10-2012 when Dalwinder Singh (since deceased) along with one Mr. Sukhjit Singh, while riding the motorcycle bearing Registration No.PB-53A-6676, met with an accident with a car and as a result of the impact of the accident, Dalwinder Singh sustained injuries and died on his way to the hospital. The appellants are parents of the deceased.

The Motor Accident Claims Tribunal vide Award dated 18-10-2014 granted compensation of Rs.11,00,000/- along with interest at the rate of 7.5% p.a. to the appellants.

The Insurance Company as well as the appellants filed cross appeals and vide impugned Judgment, the High Court has allowed the appeal of the Insurance Company in part, whereby the compensation amount has been reduced from Rs.11,00,000/- to Rs.9,37,200/-.

It is not in dispute that the appellants have not been granted any compensation towards loss of consortium to the tune of Rs.40,000/- each admissible to them in view of the legal proposition settled by this Court in "*National Insurance Company Limited vs. Pranay Sethi and Ors.*" (2017) 16 SCC 680.

That being so, the appeals are allowed in part and the appellants are held entitled to the afore-mentioned amount of Rs.40,000/- each along with interest at the rate of 8% from the date of filing the Claim Petition till its realization.

The due amount shall be paid to the appellants – claimants within a period of two months.

Ordered accordingly.

.....J
(SURYA KANT)

.....J
(J.B. PARDIWALA)

NEW DELHI
16th SEPTEMBER, 2022

REVISED FOR APPEARANCE ONLY

ITEM NO.40

COURT NO.14

SECTION IV-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No.10677/2020

(Arising out of impugned final judgment and order dated 18-12-2018 in FAO No. 656/2015 & FAO No. 2266/2015 passed by the High Court of Punjab & Haryana at Chandigarh)

CHARANJIT KAUR & ANR.

Petitioner(s)

VERSUS

GOBIND & ANR.

Respondent(s)

(IA No. 95041/2020 - CONDONATION OF DELAY IN FILING SLPs)

Date : 16-09-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE J.B. PARDIWALA

For Petitioner(s)

Mr. Vishal Prasad, AOR

Ms. Ritika Sethi, Adv.

For Respondent(s)

Mr. Sumit Teterrwal, AOR

Mr. Manu Luv Shalia, Adv.

Ms. Manjeet Chawla, AOR

UPON hearing the counsel the Court made the following

O R D E R

Delay condoned.

Leave granted.

The Appeals are partly allowed, in terms of the signed order.

(VISHAL ANAND)

ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)

COURT MASTER (NSH)

(Signed Order is placed on the file)