

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION  
CIVIL APPEAL NO. 2035 OF 2015  
(Arising out of SLP (C) No.11984 of 2014)

SANTOSH RANI & ORS ... Appellants

VERSUS

AMARJIT SINGH & ORS ... Respondents

O R D E R

Leave granted.

The appellant has preferred this appeal on being dissatisfied with the meagre enhancement in the amount of compensation made by the High Court of Punjab and Haryana at Chandigarh by order dated 22.01.2014 in FAO No.1930 of 1999.

The accident occurred in July, 1996, in which the husband of first petitioner, Des Raj, died after being hit by the vehicle belonging to the State of Haryana and driven rashly and negligently by respondent no.1. The Motor Accident Claims Tribunal vide order dated 15.11.1997 awarded compensation of Rs.2,80,000/- along with interest at 12 per cent per annum. The deceased who was 50 years at the time of accident, was taken as agriculturist by profession and his income was said to be Rs.2,500/- per month. Being aggrieved, the appellant appealed in the High Court while the matter was referred to the Lok Adalat which assessed the income of the deceased to Rs.4,000/- per month and at Rs.7,000/- under the head of funeral expenses and calculated the total compensation at Rs.4,21,200/-. The High Court vide impugned

judgment dated 22.01.2014 held that the appellants are also entitled to compensation under the head of loss of consortium at Rs.15,000/-, loss of estate at Rs.10,000/- and loss of love and care of children at Rs.25,000/-. The compensation was enhanced to Rs.4,71,200/-.

We have heard the learned counsel for the parties and perused the record. We are of the view that the High Court ought to have granted little more amount towards the loss of consortium and loss of estate apart from the amount towards the loss of love and care of both the children. We accordingly increase the compensation with respect to loss of love and care of both the children @ Rs.50,000/- per child and loss of estate to Rs.25,000/-. Thereby, for the loss suffered by the appellant, they are entitled for further amount of Rs.1 lakh in lumpsum and thus, the amount is enhanced to Rs.5,71,200/-. The order dated 22.01.2014 passed by the High Court stands modified to the extent as mentioned above.

The appeal stands disposed of, accordingly.

....., J.  
[SUDHANSU JYOTI MUKHOPADHAYA]

....., J.  
[N.V. RAMANA]

New Delhi;  
February 13, 2015.

ITEM NO.48

COURT NO.4

SECTION IVB

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

Petition(s) for Special Leave to Appeal (C) No(s). 11984/2014

(Arising out of impugned final judgment and order dated 22/01/2014 in FAO No. 1930/1999 passed by the High Court Of Punjab & Haryana At Chandigarh)

SANTOSH RANI &amp; ORS

Petitioner(s)

VERSUS

AMARJIT SINGH &amp; ORS

Respondent(s)

(with interim relief and office report)

Date : 13/02/2015 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA  
HON'BLE MR. JUSTICE N.V. RAMANA

For Petitioner(s)

Mr. Saurabh Arora, Adv.  
Mr. Nitin Bansal, Adv.  
Dr. Rau P.S. Girwar, Adv.  
Mr. Merusagar Samantaray, Adv.

For Respondent(s)

Mr. Kamal Mohan Gupta, Adv.  
  
Mr. Rajeev Kr. Singh, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal stands disposed of in terms of the signed order.

(Nidhi Ahuja)  
COURT MASTER

(Suman Jain)  
COURT MASTER

[Signed order is placed on the file.]