

Deep Singh and ors. Vs. Navratan and ors.

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SooperKanoon Citation : sooperkanoon.com/771967

Court : Rajasthan

Decided On : Sep-11-2001

Reported in : I(2002)ACC205; 2002ACJ205; 2002WLC(Raj)UC153

Judge : J.C. Verma, J.

Appeal No. : S.B. Civil Misc. Appeal No. 84 of 1997

Appellant : Deep Singh and ors.

Respondent : Navratan and ors.

Advocate for Def. : Praveen Tyagi and; J.P. Gupta, Advs.

Advocate for Pet/Ap. : K.N. Tewari, Adv.

Judgement :

J.C. Verma, J.

1. This appeal has been filed by the appellants against the award dated 9.10.1996 passed by the Motor Accidents Claims Tribunal, Jaipur City, Jaipur, for enhancement of their compensation.

2. In this case, the deceased was of the age of 23 years and he was unmarried. He had died in an accident taken place on 9.7.93 when he was hit by truck No. RSO 4409. The claim application was filed by the parents of the deceased. The

Tribunal had awarded an amount of Rs. 81,600 as compensation and the appeal being for enhancement there is hardly any necessity to go into other aspects of the matter in regard to the negligence.

3. The present appeal relates to the enhancement of the amount. Learned counsel for the appellants has placed reliance on the decision of the Hon'ble Supreme Court rendered in the case of Shanti Devi v. Amar Singh 1998 ACJ 848 (SC) and also on the case of Hanuman Sant v. Madan Lal 1998 ACJ 918 (Rajasthan) wherein it was held that even the unmarried deceased or unskilled worker could not have been given the amount of compensation less than Rs. 1,50,000. The learned Counsel has also placed reliance on the judgment passed by this Court in the case of Shyam Lal v. Rajendra Kumar 2001 ACJ 215 (Rajasthan) wherein it was held that for the death of 20 years' young man compensation amount was awarded as Rs. 1,50,000.

4. After hearing the learned Counsel for the parties and after going through the impugned award, I fully agree with the submission made by the learned Counsel for the appellants, I enhance the amount of compensation to Rs. 1,50,000 with the same rate of interest as has been awarded by the Tribunal, from the date of filing of the claim application. The amount shall be paid within three months.

5. With the above said observations, the misc. appeal is disposed of.