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* IN THE HIGH COURT OF DELHI AT NEW DELHI

MACA No. 439/2010

Date of Decision: September 27, 2010

SUMITRA AND ORS Appellants
through Mr. S.N.Parashar, Advocate

versus

CHHOTU RAM AND ORS Respondents
through Ms. Namita Sharma, Advocate
for respondent No.3.

CORAM:
HON'BLE MISS JUSTICE REKHA SHARMA

1. Whether the reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporter or not?
3. Whether the judgment should be reported in the 'Digest'?

REKHA SHARMA, J. (ORAL)

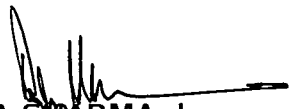
The only grievance of the appellants against the impugned award dated February 23, 2010 is that the Motor Accident Claims Tribunal while computing compensation to the claimants has taken the personal expense of the deceased as 1/2 of his income instead of 1/3rd.

It is submitted by learned counsel for the appellants that the deceased who was a bachelor has left behind besides his parents, three unmarried sisters and that having regard to the number of family members, it was wrong to assume that he was spending 1/2 of his income upon himself. It is, however, not disputed that his father is alive and working.

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Having regard to the fact that the father of the deceased is still alive and working too, I am of the view that no fault can be found with the deduction of 50% towards the personal expenses of the deceased.

There is no merit in the appeal. The same is dismissed.


REKHA SHARMA, J.

SEPTEMBER 27, 2010
PC.