

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO No.966 of 2002 (O&M)

Date of decision:18.09.2015

Saroj Bala

... Appellant

versus

Rohtash and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. M.S. Kathuria, Advocate,
for Mr. Rakesh Nehra, Advocate,
for the appellant.

Mr. Ayuwan Singh, AAG, Haryana.

Ms. Madhu Sharma, Advocate,
for respondent No.4.

K.Kannan, J. (Oral)

1. The appeal is for enhancement of compensation for death of a male aged 26 years. The deceased was a tailor and the claimants were mother, sister and brother. The Tribunal took the income as ₹ 1,800/- and assessed a compensation of ₹1,05,000/-. I will modify the same making for a provision of increase at 50% and after making deduction at 50% as the deceased was a bachelor, apply a multiplier of 17 and assess the loss of dependence at ₹2,75,400/- provide for ₹1 lakh for loss of love and affection for the mother and make additional conventional sums that are tabulated as under:-

Age	26 years		
Occupation	Tailor		
Claimants	Mother, Sister and brother		
	Heads of claim	Tribunal	High Court
Sr. No.		Amount (₹)	Amount (₹)
1.	Income	1800	1800
2.	Add,% of increase 30%/50%		2700
3.	Deduction ½, 1/3, ¼, 1/5		1350
4.	Multiplicand		16200
5.	Multiplier		17
6.	Loss of dependence		2,75,400
7.	Medical expenses		
8.	Loss of consortium		
9.	Loss of love and affection		1,00,000
10.	Loss to estate		5000
11.	Funeral expenses		10000
	Total	1,05,000	3,90,400

There shall be an award of ₹3,90,400/-. The compensation shall be payable to the mother at ₹3 lacs and the rest of the amount i.e. ₹90,400/- shall be distributed equally to the sister and brother. Considering the fact that the father had already died, the deceased as elder brother would have maintained the sister and brother. The interest accumulation shall be @ 7.5% from the date of petition till date of payment. The liability shall be in the same manner as determined already against the insurer.

2. The award stands modified and the appeal is allowed to the above extent.

(K.KANNAN)
JUDGE

18.09.2015
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