

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

**FAO No.6183 of 2011
Date of decision: 17.03.2015.**

New India Assurance Company LimitedAppellant

Versus

Sonia and othersRespondents

CORAM: HON'BLE MR. JUSTICE K.C. PURI.

Present: Mr. Vinod Gupta, Advocate
for the appellant.

Dr. Gopal Krishan Nair, Advocate/amicu curaie.

K.C. PURI J. (Oral)

This is an appeal directed by the insurance company against the award dated 25.07.2011, vide which a sum of Rs.16,35,985/- was allowed as compensation on account of death of Randhir Singh aged 44 ½ years in a motor vehicle accident.

The other facts need not to be narrated as the challenge in the present appeal is regarding compensation by the insurance company. Income of the deceased has been proved on record as Rs.16,878/-, and 1/3rd amount has been deducted in respect of personal expenses and the dependency has been calculated as Rs.11,252/-. The amount in respect of family pension has been deducted which is against the spirit

of ruling by the Hon'ble Apex Court and by this Court.

The yearly dependency of the claimants comes to Rs.1,35,024 i.e., Rs.11252 x 12. The age of the deceased was stated to be 44 $\frac{1}{2}$ years. So, the multiplier applicable is according to Sarla Verma's case, comes to 14.

So, by applying that multiplier, the amount calculated as Rs.18,90,336/-, whereas the Tribunal has only granted the amount of Rs.16,35,985/-. So that amount cannot be said to be on higher side.

The appeal is dismissed.

17.03.2015
yakub

(K.C. PURI)
JUDGE