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

FAO No.1847 of 2015 (O&M)
Date of Decision: March 31, 2015

Reliance General Insurance Company Ltd.
...Appellant

Versus

Prem Shankar & Ors.
...Respondents

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.Subhash Goyal, Advocate,
for the appellant.

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Naresh Kumar Sanghi, J. (Oral)

The present appeal has been filed by Reliance General Insurance Company Limited, challenging the award dated 08.12.2014 passed by learned Motor Accidents Claims Tribunal, Kaithal, whereby an award of Rs.7,82,000/- along with interest at the rate of 9% per annum from the date of filing of the petition till realization of the whole amount was passed in favour of Prem Shanker -respondent/claimant, father of Durgesh (since deceased).

Learned counsel for insurance company has raised the following two contentions:-

(i) that future prospects to the extent of 30% of the annual income of Durgesh (since deceased) should not have been granted; and

(ii) since Prem Shankar respondent/claimant was 48 years old at the time of death of his son Durgesh, therefore, the multiplier of 18 should not have been applied.

I have heard learned counsel for the appellant and with his able assistance gone through the material available on record.

So far as the first contention with regard to grant of future prospects is concerned, it was requested to learned counsel for the appellant to show any judgment pronounced by Hon'ble the Apex Court or this Court where it has been held that future prospects should not be granted. The only answer to the query was that the matter has been referred to the Larger Bench of Hon'ble the Supreme Court and as such, this Court should not grant the future prospects. In **Rajesh and Others** vs. **Rajbir Singh & Ors, 2013(3) RCR (Civil) 170,** Hon'ble the Supreme Court has approved the principal for grant of future prospects to the claimants as per the facts of the case. In the case in hand, only 30% annual income of Durgesh (since deceased) has been added as future prospects. As per **Rajesh's** case (supra), the Court can grant future prospects to the extent of 50% of the annual income of the deceased, therefore, there is no substance in the first argument raised by learned counsel for the appellant.

So far as the second argument with regard to applying of the multiplier of 18 in the case in hand is concerned, learned trial court has rightly applied the said multiplier. The deceased was 19 years old and was earning Rs.5,000/- per month. The learned Tribunal has concluded that the dependency of the respondent/claimant was 50% only i.e Rs.2500/- and claimant was 48 years old and as such, the most appropriate multiplier of 18 was applied. This finding of learned Tribunal is also based upon the judgment delivered by Hon'ble the Supreme Court in the matter of **Sarla Verma** vs. **Delhi Transport Corporation, (2009)7 SCC 121,** therefore, the second contention of learned counsel for the appellant is also not tenable. No other point has been raised.

Finding no merit in the present appeal, the same is hereby dismissed.

March 31, 2015 **(Naresh Kumar Sanghi)**
seema **Judge**