

RA-209-CII-2014 in
FAO-975-2011

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

**RA-209-CII-2014 in
FAO-975-2011
Date of Decision : 19.01.2015**

Narinder Kaur and another

..... Appellants

Versus

Dev Rani and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Abhishek Goel, Advocate
for Mr. Pardeep Goel, Advocate
for the applicant-respondent No.3-insurance company.

Mr. C.L. Verma, Advocate
for the non-applicant-appellants.

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?

AJAY TEWARI, J. (Oral)

This is an application for reviewing/correction of the order dated 12.03.2014.

Learned counsel for the applicant-respondent No.3 has argued that this Court took the monthly income of the deceased as Rs.24,676/- p.m. but while computing the taxable income there was a mistake. It is stated that at the monthly income of Rs.24,676/- the total salary would amount to Rs.2,96,112/- p.a. and after deducting Rs.1 lac as standard deduction the

amount would come to Rs.1,96,112/-.

I find this to be indeed so. In the circumstances, without going into the facts and figures, the amount of Rs.3,44,168/- which has been taken as taxable income of the deceased is deleted and it is clarified that the Executing Court would work out the exact tax after taking the income of the deceased as Rs.2,96,112/- p.a.

Learned counsel for the applicant-respondent No.3 has further argued that once the deceased was 55 years of age the future prospects should be fixed at 15% instead of 50%.

Learned counsel for the non-applicant-appellants has accepted this argument.

Consequently, the future prospects are fixed at 15% instead of 50%.

On the other hand, the learned counsel for the non-applicant-appellants has argued that the deceased was 55 years of age at the time of the accident and if this Court is reducing the future prospects then this Court may also consider the fact that at the age of 55 the multiplier of 11 should be applied instead of 9.

Learned counsel for the applicant-respondent No.3 is not in a position to deny this fact.

Consequently, the multiplier is fixed at 11.

Review application stands disposed of in the above terms.

January 19, 2015

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**(AJAY TEWARI)
JUDGE**