

203.

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

FAO No.1169 of 2004 (O&M)

Date of decision:12.01.2016

Tilak Raj and others

... Appellants

versus

Chandan Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Bhupinder Singh Walia, Advocate,
for the appellants.

Mr. Anil Kumar Gahlawat, Advocate,
for respondent No.2.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The appeal is for enhancement of claim for compensation for death of a woman, aged 24 years. The claimants were parents and brother. She was Software Engineer in a private Company whose annual income was shown to be ₹ 3,00,960/-. The Court took the income at ₹40,000/- and assessed the compensation at ₹6,50,000/-.

2. The counsel argues that the compensation assessed does not conform to the law laid down by the Supreme Court in **Sarla**

Verma Versus Delhi Transport Corporation and another-2009(6)

SCC 121. I will rework the compensation, take the income as it is stated, make a prospect of increase at 50% and after making a deduction of 15% towards income tax, I will take the gross income to be ₹3,83,724/-. Make a deduction of half for personal consumption and taking the rest of the amount as contribution to the family, applying a multiplier of 18 in the manner provided in **Munna Lal Jain and another Versus Vipin Kumar Sharma and others-(2015) 6 SCC 347**, the compensation is worked out and tabulated as under:-

Accident	25.08.2002		
Age	24		
Occupation	Software Engineer		
Claimants	Parents and brother		
	Heads of claim	Tribunal	High Court
Sr. No.		Amount (₹)	Amount (₹)
1.	Income		3,00,960
2.	Add,% of increase 30%/50%		4,51,440 less tax @ 15% =3,83,724
3.	Deduction ½, 1/3, ¼, 1/5		½
4.	Multiplicand		1,91,862
5.	Multiplier		18
6.	Loss of dependence		34,53,516
7.	Medical expenses		
8.	Loss of consortium		
9.	Loss of love and affection		1,00,000
10.	Loss to estate		10,000
11.	Funeral expenses		10,000
	Total	6,50,000	35,73,516

There shall be an award of ₹35,73,516. The additional compensation shall attract interest at 7.5% from the date of petition till date of

payment. The amount shall be distributed amongst the parents and the award is passed against the respondent-Corporation.

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

(K.KANNAN)
JUDGE

12.01.2016
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