

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO No. 1538 of 2002 (O&M)
Date of decision: January 6, 2016.

M/s.National Insurance Company Limited

.....Appellant

VS.

Dr. Akhilesh Kumar Bhatnagar and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE K.KANNAN

Present: Ms. Suman Jain, Advocate
for the appellant.

None for the respondent.

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?

K.KANNAN,J(Oral)

1. The Insurance company is in the appeal on the issue of quantum for death of a bachelor who had a prospect of employment at Muscat on a salary of 4200 dirham equivalent Rs. 4,50,000/- at the time when the offer of appointment was made. Before he joined at the company which issued to him the appointment letter, he came by the accident and died. The Tribunal took the income at Rs. 4,50,000/-, made deduction of one third and applied a multiplier of 8 dependant on the age of his parents.

2. The scales of compensation of death have become certain through some of the recent decisions about the percentage deduction for case of bachelor

through the decision in Sarla Verma Versus Delhi Transport Corporation 2009 (6) SCC 121. This judgment have been further modified in subsequent rulings that have decided on the choice of multipliers, when the claimants are parents in MUNNA LAL JAIN AND ANOTHER VS. VIPIN KUMAR SHARMA AND OTHERS (2015) 6 SCC 347. The Supreme Court has held with the multiplier used shall be made to depend on the age of deceased and not on the age of the parents. By applying these two judgments, if we allow for 50% deduction and apply a multiplier of 17, the compensation awarded shall still to be less than what can be obtained by the scales of compensation that is provided under the present dispensation of law.

3. I will make no modification and sustain the award already passed.
4. The appeal is dismissed.

JANUARY 06 , 2016

Rajeev

**(K.KANNAN)
JUDGE**