

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

FAO-4396-2012 (O&M)
Date of decision: 23.02.2016

Pepsu Road Transport Corporation, Patiala and another
...Appellants

Versus

Amarjit Kaur and others.

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Anupam Singla, Advocate for the appellants.

Mr. Surinder Garg, Advocate
for respondent Nos.1, 3 and 4.

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JITENDRA CHAUHAN, J.

This appeal is directed against the amount of compensation awarded vide impugned award dated 02.12.2011, passed by the learned Motor Accident Claims Tribunal, Faridkot (for short, 'the Tribunal').

The learned counsel for the appellants refers to Ex.A3, the postmortem report of the deceased to contend that the deceased was 62 years of age at the time of his death, therefore, the learned Tribunal erred in applying the multiplier of 11. Further, states that as per the record, there are three dependents including wife and

two minor children, therefore, the deduction ought to have been 1/3 instead of 1/5.

The learned counsel for the claimants-respondents has not been able to controvert the aforesaid factual position.

I have heard the learned counsel for the parties and perused the record.

In view of *Sarla Verma v. DTC (2009) 6 SCC 121*, multiplier is reduced from 11 to 7 and considering the number of dependents deduction ought to have been made to the extent of 1/3.

In this way, the amount of compensation under the head of 'loss of dependency' comes to Rs.5,000/- X 12 X 7 X 2/3 = Rs.2,80,000/-, as against an amount of Rs.5,28,000/-, assessed by the learned Tribunal under this head.

With the aforesaid modification in the impugned award, the present appeal is partly allowed.

23.02.2016
ashok

(JITENDRA CHAUHAN)
JUDGE