

IN THE HIGH COURT OF PUNJAB & HARYAN AT CHANDIGARH

FAO No.2247 of 2015 (O&M)

Date of Decision: 27.05.2016

ICICI Lombard General Insurance Co. Ltd.

.....Appellants

Versus

Sumitra Devi & others

...Respondents

CORAM: HON'BLE MR. JUSTICE DARSHAN SINGH

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

Mr. Arvind Kumar Yadav, Advocate for respondents No.1 and 2.

Darshan Singh, J.

The present appeal has been preferred against the award dated 16.12.2014 passed by the learned Motor Accident Claims Tribunal, Rewari vide which claimant-respondents No.1 and 2 have been awarded compensation to the tune of Rs.9,97,000/- on account of death of their son Sonu in the motor vehicle accident which took place on 6.7.2013.

2. The present appeal has been preferred by the ICICI Lombard General Insurance Company Limited (respondent No.3 in the claim petition) to assail the award.

3. I have heard Mr.Sanjeev Goyal, Advocate for the appellant and Mr. Arvind Kumar Yadav, Advocate for respondents No.1 and 2 and have meticulously gone through the paper book.

4. Learned counsel for the appellant contended that the claimants have filed the petition for grant of compensation on account of death of their son Sonu in the accident who was stated to be 19 years of age. He contended that the learned Tribunal has applied the multiplier of 18 as per the age of the deceased.

He contended that the multiplier should have been applied as per the age of the

claimants. Thus, the wrong multiplier has been applied by the learned Tribunal which resulted in the grant of exorbitant compensation to the claimants.

5. On the other hand, learned counsel for the claimant-respondents contended that there is no illegality in the multiplier applied by the learned Tribunal.

6. I have duly considered the aforesaid contentions.

7. The impugned award shows that the learned Tribunal has applied the multiplier of 18 as per the age of the deceased who was 19 years of age at the time of the accident. The Hon'ble Supreme Court in case **Munna Lal Jain and another versus Vipin Kumar Sharma and others** 2015 (3) SCC (Civil) 315 held that the multiplier is to be applied as per the age of the deceased.

So, no illegality in applying the multiplier of 18 as per the age of the deceased has been committed by the learned Tribunal.

8. Consequently, the present appeal is without any merit and the same is hereby dismissed.

May 27, 2016
ps

(DARSHAN SINGH)
JUDGE