

213.

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

FAO No.4124 of 2014 (O&M)

Date of decision:24.05.2016

Prem Devi and others

... Appellants

versus

Sunil Kumar and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Sandeep Kumar Yadav, Advocate,
for the appellants.

Ms. Neeraj Chandel, Advocate,
for Ms. Vandana Malhotra, Advocate,
for respondent No.3.

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 presents a singular point for consideration of the suitability of a multiplier to depend on the age of the deceased and not the age of the claimant as held by the decision of the Supreme Court in **Munna Lal Jain and another Versus Vipin Kumar Sharma and others-(2015) 6 SCC 347**. The deceased was said to be 22 years of age and the Tribunal took the income at ₹10,000/- and provided for a 50% deduction. I retain the same. Instead of multiplier of 12, I will apply a multiplier of 18 and take

the loss of dependency at ₹10,80,000/- (5,000x12x18). The Tribunal has provided no amount towards loss of love and affection which I will provide for an additional sum of ₹1 lakh and also make an additional amount of ₹10,000/- for the deficit in what is normally awarded towards funeral expenses and loss to estate. The total compensation would come to ₹11,90,000/- and the additional compensation of what has already been awarded by the Tribunal will attract interest at 9% from the date of petition till date of payment. The amount will be distributed equally amongst the claimants. The liability shall be on the Insurance Company.

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

(K.KANNAN)
JUDGE

24.05.2016
sanjeev