

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

**FAO No.4273 of 2016 (O&M)
Decided on: 24.08.2016**

Shri Ram General Insurance Company Limited

....Appellant

Versus

Satyawan and others

....Respondents

CORAM: HON'BLE MRS JUSTICE REKHA MITTAL

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

REKHA MITTAL, J.

The present appeal has been directed against the award dated 29.02.2016 passed by the Motor Accident Claims Tribunal, Jhajjar (in short 'the Tribunal') whereby compensation has been awarded in favour of Satyawan and others in regard to death of Shadir Khan in a motor vehicular accident that took place on 24.03.2015.

Counsel for the appellant has two fold submissions to make, to assail quantum of compensation assessed by the Tribunal. The first submission made is that the learned Tribunal has adopted a multiplier of 18 by taking into consideration age of the deceased in place of age of the parents. The Tribunal has allowed benefit of future prospects to the extent of 50% albeit the fact that the matter with regard to future prospects is pending consideration before a Larger Bench of Hon'ble the Apex Court in ***“National Insurance Company Limited Vs Pushpa and others”*** vide ***SLP No.8058/2014***.

I have heard counsel for the appellant, perused the

paperbook particularly the award passed by the Tribunal.

It is an undisputed position of the case that the deceased was about 19 years of age. In view of authoritative enunciation laid down in “*Smt. Sarla Verma and others vs. Delhi Transport Corporation and another*”, 2009(3) R.C.R. (Civil) 77 and “*Munna Lal Jain and another vs Vipin Kumar Sharma and others*”, 2015(3) PLR 304, the learned Tribunal has rightly allowed multiplier of 18 by taking into consideration age of the deceased as he was in the age bracket of 16 to 25 years. The mere fact that the matter with regard to grant of future prospects is pending before a Larger Bench is not sufficient to deny the said benefit to the claimants till the judgment “*Rajesh and others Vs. Rajbir Singh and others*”, 2013(3) R.C.R. (Civil) 170, is varied or set-aside.

No other point has been raised.

For the foregoing reasons, the appeal is dismissed *in limine*. No order as to costs.

24.08.2016
yakub

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No