IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RA No. 155-CII-2014 (O&M) in
FAO No. 1088 of 1994
Date of decision: 08.01.2016

KAMLESH SAINI & ORS

... Petitioner

versus

PURAN & ORS

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. R.K. Bashamboo, Advocate,
for the applicants/respondent Nos. 3 & 5.
Mr. Abhinav Sood, Advocate, for
Mr. Vikram Singh, Advocate for owner & driver.

K.Kannan, J. (ORAL)

The review application is brought by the insurer to point out to the mistake that the Court while applying the principle in Sarla Verma Vs. Delhi Transport Corporation, 2009 (3) RCR (Civil) 77, in the manner of making provision for personal expenses when there were 3 dependants, has erroneously provided for 1/4th instead of 1/3rd. Consequently, the assessment of total compensation has been relatively high.

The notice has been served on the claimants but none appears today. Counsel for the owner and driver is present.

The deduction could have been only 1/3rd in which case the income after personal expenses would have been Rs. 3791.66 instead of Rs. 4,265.62. Correspondingly, the multiplicand would have been Rs. 45,499.99 instead of Rs. 51,187.50. The loss of dependency would be Rs. 5,91,499.99 instead of Rs. 6,65, 438/-. The total compensation would have been Rs. 8, 01,500/- against Rs. 8,75, 438/-.

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The said amount is required to be stated as a correct amount and the order already passed stands modified to this extent as regards the assessment of compensation for FAO No. 1088 of 1994

(K.KANNAN)
JUDGE

08.01.2016
kv

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