

NATIONAL LOK ADALAT

512 **FAO No. 1896 of 2005**

Shahid Ahmad and others vs. Rohtash and others

Present: Mr. Rakesh Lathwal, Advocate
 for the appellants

Dr. S.K. Takyar, Regional Manager
for United Indian Insurance Company

This appeal arises out of the death of Sazid son of Shahid Ahmad in a road accident on 21.07.2003. The claimants are mother, father and siblings totaling 7 in number. The learned Tribunal granted a lump sum compensation of ₹ 2,00,000/-. The deceased was working as a Carpenter alongwith his father. He was unmarried and aged 21 years on the date of the accident. His income has been assessed by the learned Tribunal as ₹ 3000/- per month and both the parties do not dispute the same. Since the deceased was a bachelor, only the mother would be his dependent and this proposition is also admitted by both the parties. In this view of the matter by deducting 50% on account of personal expenses the monthly dependency works out to ₹ 1500/-. Applying a multiplier of 18 based on the judgment passed in ***Sarla Verma and others vs. Delhi Transport Corporation and another, 2009(3) RCR(Civil) 77***, the compensation is assessed as ₹ 3,34,000/-. The parties are agreed that a sum of ₹ Rs. 2,00,000/- may be granted as compensation for loss of love and affection and a sum of ₹ 25,000/- on account of funeral expenses. The total compensation, thus, works out to ₹ 5,49,000/-.

2. The representative of the Insurance Company concedes the amount of compensation so worked out hereinabove. A sum of ₹ 2,00,000/- already granted by the learned Tribunal stands paid and, thus, the balance amount of ₹ 3,49,000/- be paid to appellant No. 2 by way of cheque to be deposited before the Lok Adalat

Branch of this Court, within a period of one month from today, failing which the enhanced amount shall carry interest @ 7.5% p.a. from the date of filing of claim petition till the date of payment. The appellants' counsel may collect the cheque from the Lok Adalat Branch of this Court against receipt.

3. Appeal stands disposed of.
4. Copy of this order be supplied to the counsel/parties free of costs.

**[JUSTICE SUDHIR MITTAL]
PRESIDENT**

**[ARUN KUMAR BAKSHI]
MEMBER**

September 09, 2017

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