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FAO No. 3789 of 2005

Shakuntla and others vs. Karan Singh and others

Present: Ms. Kiranjeet Kaur, Advocate for
Mr. R.S. Malik, Advocate
for the appellants

Mr. Vinod Gupta, Advocate with
Dr. S.K. Takyar, Regional Manager
for United Indian Insurance Company

Deceased - Subhash died in a motor accident on 17.07.2004. He was working as a Government teacher and drawing a monthly salary of ₹ 12,190/-. His age on the date of accident was 38 years. He is survived by his widow and two children. The learned Tribunal granted compensation of ₹ 9,32,280/-. The compensation awarded by the Tribunal is based upon the carry home salary which was ₹ 8,190/-. The representative of the Insurance Company concedes that the salary as reflected in his pay slip may be taken as his monthly income which is ₹ 12,190/-. Based upon the same and by granting increase on account of future prospects and deduction on account of personal expenses, the annual dependency is assessed as ₹ 1,46,280/-, which is acceptable to both the parties. Applying the usual parameters based upon the age of the deceased, the compensation payable to the claimants, is re-assessed as ₹ 23,00,000/-, which is acceptable to both the parties.

2. The matter is settled on the basis of concurrence of both the parties. The enhanced amount be paid to the claimants 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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