

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

FAO No.9236 of 2014 (O&M)
Date of decision: January 12, 2017

Kashmiro Devi and another ...Appellants

Versus

Harjeet Singh and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Ishaan Cooner, Advocate for
Mr. J.S. Cooner, Advocate for the appellants.
Mr. Rakesh Gupta, Advocate for
Mr. Nitin Mittal, Advocate for respondents No.1 to 3.
Mr. M.K. Garg, Advocate for respondent No.4.

Rajan Gupta, J.(oral)

Present appeal is directed against the award passed by the Tribunal granting compensation to the tune of ₹3,63,012/- due to death of deceased namely Rajbir Singh in the accident.

It has been urged before the court that the Tribunal has erred in awarding compensation on the basis of age of mother of the deceased. Thus, multiplier of '14' has been wrongly applied.

It appears, the accident occurred on 24.4.2011, in which Rajbir Singh aged about 21 years had died. A claim petition was preferred under section 163 of the Act before the Tribunal. The tribunal came to the conclusion that Rajbir Singh in fact, died in the accident that occurred on 24.4.2011. In order to assess compensation, income of Rajbir Singh was assessed at ₹3200/- per month. 1/3rd thereof was deducted as his personal

expenses. Multiplier was assessed on the basis of age of mother of the deceased, who was 42 years old. Multiplier of '14' was, thus, applied. As per schedule, a multiplier of 17 would be applicable keeping in view age of the victim. In my considered view, multiplier of '17' would be applicable in this case. By applying this multiplier, the appellants would be entitled for another sum of ₹76,824/-. The appellants would also be entitled to interest as awarded by the tribunal. Appeal is allowed in these terms. Award of the tribunal is modified to this extent. Rest of the award is maintained as such.

January 12, 2017
'Rajpal'

(RAJAN GUPTA)
JUDGE

Whether speaking / reasoned	Yes / No
Whether Reportable:	Yes / No