

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

Anuradha
20/09/21 11:59
I attest to the accuracy and
integrity of this document

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**CM-10231-CII-2016 in/and
RA-CR-132-CII-2016(O&M) in
FAO-6366-2010 (O&M)
Decided on: 12.9.2017**

BALWINDER KAUR AND ANR.

....APPELLANTS

VS

JASVIR SINGH AND ORS.

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Lalit Kumar, Advocate for
Mr. Ashwani Talwar, Advocate
applicant-respondent No.-3.

Mr. A.S.Cheema, Advocate
for the non-applicant-appellants.

AJAY TEWARI, J.(Oral)

CM-10231-CII-2016

This is an application for condonation of delay of 752 days in
filing the review petition.

For the reasons recorded in the application, the same is
allowed and delay of 752 days in filing the review petition is condoned.

RA-CR-132-CII-2016

There is also a review application filed by the insurance
company-respondent No.-3. The ground taken for review is that the
deceased was a government servant and it has now been discovered that
actually his real age is 40 years 5 months.

In the circumstances, he prays that multiplier has to be
reduced from 15 to 14 as per the judgment passed by Supreme Court in the

matter of Smt. Sarla Verma & Others vs. Delhi Transport Corporation & Another, 2009 ACJ 1298. It has further been mentioned that for future prospect had to be reduced to 30%.

I find this to be indeed so. Consequently, the multiplier is reduced from 15 to 14 and the future prospect would be fixed at 30% instead of 50%.

Counsel for the non-applicant-appellants has contended that this appeal was decided vide order dated 21.3.2014, however while allowing the appeal and increasing the compensation on various accounts nothing was mentioned about the interest and therefore this fact should also be clarified. He has relied upon the judgment of the Supreme Court in the matter of Vimal Kanwar and others vs. Kishore Dan and others, (2013-3) PLR 776 where the Supreme Court gave 12% interest per annum.

I find this argument to be valid and consequently order that all the enhanced amount shall be paid along with interest @12% per annum from the date of filing of the claim petition till the date of realization.

Review application stands disposed of.

12.9.2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No