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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 434/2017 & CM No. 16981/2017**

THE NEW INDIA ASSURANCE CO. LTD. Appellant
Through: Mr. Shoumik Mazumdar, Adv.

versus

SHYAM SINGH & ORS Respondents
Through: Mr. S.N. Parashar, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

ORDER

% **24.05.2017**

Mr. S.N. Parashar enters appearance for respondent no.1. At request, the petition is taken up for disposal.

Respondent no.1 was injured in a motor accident resulting in amputation of his right leg above the knee and rendering him 85% disabled. It has been so certified by the Medical Board of Guru Teg Bahadur Hospital, Delhi. The injured was a matriculate. In the absence of proof to support his claim of earning Rs. 15,500/- per month, the Tribunal took minimum wages applicable to a matriculate at Rs. 9802/- and applied the multiplier of 18 thereon, along with 85% disability, arriving at an amount of Rs. 17,99,647/- towards loss of dependency. The Court is unable to find any error with this calculation. Hence, the challenge to the impugned Award on the ground of wrong calculation is rejected.

The challenge to the computation of award towards loss of amenities and enjoyment of life, disfigurement and loss of marriage prospects of an amount of Rs. 1.50 lakhs each as being on higher side, is also rejected since the Court finds it just and proper. Except for a bare statement, why it is on the higher side is not substantiated.

There is no substance in the appeal, hence it is dismissed. The amounts deposited towards satisfaction of the Awarded amount shall be released to the beneficiaries of the Award. The statutory deposit be refunded to the appellant.

NAJMI WAZIRI, J

MAY 24, 2017/_{kk}