

**IN THE HIGH COURT OF BOMBAY AT GOA**  
**MISCELLANEOUS CIVIL APPLICATION NO. 261 OF 2018**  
**IN**  
**CIVIL APPLICATION (REVIEW) NO. 35 OF 2016**

|                               |                 |
|-------------------------------|-----------------|
| Perfeta alias Perpetua Camilo |                 |
| Marques & Another             | ... Applicants  |
| Versus                        |                 |
| Dilip Galande & 2 Others      | ... Respondents |

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Shri Emerico Estevam Afonso, Advocate for the Applicants.

**CORAM:- C.V. BHADANG, J.**

**DATE:- 6<sup>th</sup> APRIL 2018**

P.C.

Heard Shri Afonso, the learned Counsel for the applicants.

2. This is an application for recall of the orders dated 28.04.2017 and 02.01.2018, passed by this Court (M.S.Sonak,J.), referring the issue of the appropriate multiplier to be applied, to the Larger Bench.

3. Shri Afonso, the learned Counsel for the applicants has placed reliance on the decision of the Supreme Court in the case of **Sube Singh & Another Vs. Shyam Singh (dead) & Others, (2018) 3 SCC 18**, in which, the Hon'ble Supreme Court has held that multiplier should depend on the age of the deceased and not on the age of the dependants.

4. The learned Counsel for the applicants submits that in view of the decision of the Supreme Court, it may not be necessary to refer the said issue to the Larger Bench. He, therefore, prays that the two orders dated 28.04.2017 and 02.01.2018 be recalled.

5. I am afraid, the submission cannot be accepted. Once, this Court had directed the matter to be placed before the Hon'ble The Acting Chief Justice, for referring it to a Larger Bench, it would not be open to this Court to recall the orders. It is the prerogative of the Hon'ble the Acting Chief Justice to decide whether, such a reference is to be made or not.

6. In such circumstances, the application is disposed of. The learned Registrar (Judicial) shall ensure that the decision of the Hon'ble Supreme Court in the case of **Sube Singh** (supra) is placed before the Hon'ble The Acting Chief Justice along with the orders dated 28.04.2017 and 02.01.2018, passed by this Court.

**C.V. BHADANG, J.**

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