

compensation allowed under conventional heads needs modification in the light of latest judgment of Hon'ble the Supreme Court **National Insurance Company Limited Vs. Pranay Sethi and Ors., 2017 SCC 1270.**

The deceased was approximately 80 years old but there is nothing on record suggestive of the fact that she was not able to perform household duties and carry on domestic affairs. As the Tribunal has assessed value of her services as a house maker, no deduction for personal expenses is to be allowed in the light of Division Bench judgment of this Court **Paramjit Singh and another Vs. Dilbagh Singh @ Bagga and others, 2013(3) Law Herald 2730.** The multiplier applied by the Tribunal is affirmed. In this manner, loss of dependency comes to Rs.1,80,000/- (Rs.3000 x 12 x 5).

Under conventional heads, compensation awarded by the Tribunal is modified and the claimants are allowed Rs.55,000/- i.e. Rs.40,000/- for loss of consortium and Rs.15,000/- for expenses on funeral.

Total compensation is Rs.2,35,000/- and the additional amount is Rs.20,000/- (2,35,000 – 2,15,000), payable with interest @ 7.5% per annum from the date of petition till realization to husband of the deceased.

The appeal is partly allowed in the aforesaid terms.

15.02.2018

ashok

(REKHA MITTAL)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No