

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

**FAO No.2347 of 2018 (O&M)
Date of decision: 01.05.2018**

Oriental Insurance Company Limited

....Appellant

Versus

Sunita and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Navin Kapur, Advocate,
for the appellant.

RITU BAHRI J. (Oral)

CM No.8629-CII of 2018

For the reasons mentioned in the application, same is allowed and delay of 35 days in filing of the appeal is condoned.

FAO No.2347 of 2018

The Oriental Insurance Company Limited-appellant has come up in appeal against the award dated 08.12.2017 passed by the Motor Accident Claims Tribunal, Sonipat (hereinafter referred to as 'the Tribunal'), whereby compensation of Rs.12,39,600/- has been awarded in favour of claimants-respondent Nos. 1 & 2 on account of death of Sagar in a motor vehicular accident which took place on 13.01.2017. Respondent Nos. 1 & 2 are parents of deceased Sagar, who was 18 years of age at the time of death/accident.

Learned counsel for applicant-Insurance Company has

challenged the impugned award on a short ground that while assessing

compensation, multiplier according to the age of deceased has been applied, whereas it should have been applied as per the age of his parents because the deceased was bachelor at that time.

This aspect has been considered by Hon'ble the Supreme Court in **National Insurance Company Limited vs. Pranay Sethi and others**, Special Leave Petition (Civil) 25590 of 2014 (decided on 31.10.2017), wherein it has been held that multiplier, in order to assess the compensation, should be followed as per the guidelines given in **Sarla Verma and others vs. Delhi Transport Corporation and another**, 2009 (3) Recent Civil Reports 77.

In the facts of the present case, deceased-Sagar was 18 years of age at the time of accident. Accordingly, multiplier of 18 has rightly been applied by the Tribunal while assessing the compensation. No interference is required on this ground.

After going through the impugned Award, no illegality, much less perversity has been found therein warranting interference by this Court. The Tribunal has assessed the compensation after appreciating evidence in the right perspective.

Resultantly, the present appeal is dismissed being devoid of any merit.

(RITU BAHRI)
JUDGE

01.05.2018
ajp

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No