

**RA-CR No.26-CII of 2017 with
CM No.6624-CII of 2017 in
FAO No.5100 of 2013**

ORIENTAL INSURANCE CO LTD

V/S

SUBHASH CHANDER PALTA & ORS

Present : Mr. Jagdish Manchanda, Advocate for the applicant/respondents in RA-CR No.26-CII of 2017.

Mr. Navin Kapoor, Advocate for the applicant/appellant in CM No.6624-CII of 2017.

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This order of mine shall dispose of two applications *i.e.* RA-CR No.26-CII of 2017 and CM No.6624-CII of 2017.

RA-CR No.26-CII of 2017 has been moved by learned counsel for the applicant/respondents under Order 47 Rule 1 CPC for review of judgment dated 09.01.2017 passed by this Court to the extent that as per the law laid down in case ***Sarla Verma and others Vs. Delhi Transport Cooperation and another (2009) 6 SCC 121***, the multiplier of 9 would be applicable for the age group of 55 to 60 years and no bifurcation is given in the said judgment. Total salary of the deceased has been considered without any bifurcation and claimants are also entitled for 15% addition in income towards future prospects.

CM No.6624-CII of 2017 has been filed by learned counsel for the applicant/appellant for correction in judgment dated 09.01.2017 passed by this Court by replacing the earlier order to the extent that after retirement the deceased was to get pension which is normally 50% and multiplier of 4 was to be applied for a period of 4 years and, thereafter, multiplier of 5 should have been applied on half of the total salary.

After hearing the arguments of learned counsel for the parties, judgment dated 09.01.2017 is modified to the extent that the claimants shall be entitled for multiplier of 9 for a period of 4 years upto the date of retirement and, thereafter, for the remaining period, the multiplier of 9 shall be applicable on the amount of pensionary benefits.

Disposed of accordingly.

10.09.2018

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**