IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

-.-

RA 65 CII of 2018 in FAO 7974 of 2017
Date of decision: 03.04.2018

Mohan Lal ..... *Applicant*

Versus

Vidya Devi and others .....*Respondents*

Coram: **Hon'ble Mrs. Justice Rekha Mittal**

-.-

Present: Mr. Sandeep Jasuja, Advocate
for the applicants/respondents No. 1 to 3

-.-

Rekha Mittal, J. (Oral)

Prayer in this application filed by applicants/respondents No. 1 to 3 is for review of judgment/order dated 12.01.2018 passed by this Court in FAO No. 7974 of 2017 whereby compensation has been reduced from Rs.21,65,000.00 to Rs.14,58,000.00.

Counsel for the applicants/respondents No. 1 to 3 would urge that as the deceased was 25 years, 3 months and 17 days old, admissible multiplier should be 18 in place of 17 in the light of judgment of Hon'ble the Supreme Court in ***Sarla Verma and others vs. Delhi Transport Corporation and another 2009(3) R.C.R. (Civil) 77.*** Another submission made by counsel is that the Tribunal has allowed deduction for personal expenses to the extent of 50% but the same should of 1/3rd as application for compensation was filed by the parents and younger brother of the deceased.

Perusal of judgment dated 12.01.2018 passed by this Court would reveal that this Court has not touched these two issues either with

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regard to allowing multiplier of 17 by the Tribunal or deduction for personal expenses to the extent of 50% as the deceased was unmarried son of claimants Vidya Devi and Om Parkash and elder brother of Sunil Kumar-claimant No. 3. In the given scenario, the present application stands disposed of but without prejudice to right of the applicants/respondents No. 1 to 3 to take recourse to appropriate remedy seeking enhancement of compensation, in accordance with law.

(Rekha Mittal)
Judge

03.04.2018
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No

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