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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 185/2018 & CM Nos.6323-6324/2018**

THE ORIENTAL INSURANCE CO LTD Appellant
Through: **Mr. A.K. Soni, Advocate.**

versus

CHANNO DEVI & ORS Respondents
Through:

CORAM:
HON'BLE MR. JUSTICE R.K.GAUBA

ORDER
% **20.02.2018**

The insurance company on which liability to pay compensation in favour of the first respondent on her claim petition (MAC Petition No.5197/16 - old MACP No.287/07) has been fastened, the award having been granted on account of death of her bachelor son Hari Prakash in motor vehicular accident that occurred on 03.03.2007, involving negligent driving of rural transport vehicle (RTV) bearing registration No. DL-IV-A-2660, concededly insured with the appellant, is aggrieved because in calculating the loss of dependency the Tribunal has adopted the multiplier of 17 going by the age of the deceased rather than age of the claimant mother (the father Ram Singh also being a co-claimant but having died on 26.11.2010).

The appeal is devoid of merit inasmuch as the view taken by the Tribunal on the question of multiplier is in accord with the ruling

of the Constitution Bench of the Supreme Court rendered on 31.10.2017 in *SLP (C) 25590/2014, National Insurance Company Ltd. Vs. Pranay Sethi and Ors.*

The appeal and the applications filed therewith are thus dismissed *in limine*.

R.K.GAUBA, J

FEBRUARY 20, 2018

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