

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

206

FAO-1572-2001(O&M)

Date of Decision : October 17, 2019

GURMAIL KAUR AND ORS

.....Appellants

VERSUS

BOOTA SINGH AND ORS

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present : Mr. M.K.Garg, Advocate
for the appellants.

Mr. Assem Aggarwal, Advocate
for respondent No.2.

Mr. Ravinder Arora, Advocate
for respondent No.5-Insurance Company.

NIRMALJIT KAUR, J. (Oral)

Learned counsel for the appellants while praying for modification by way of enhancement of the award dated 4.1.2000 submitted that the age of the deceased was 25 years and, therefore, the multiplier of 18 should have been applied instead of 17. Similarly, Rs.70,000/- under the consortium head alongwith 10% of the said amount to be added every year should have been granted whereas only Rs.25,600/- has been granted.

Mr. Ravinder Arora, learned counsel for the respondent-Insurance Company does not dispute the legal position in view of the judgment rendered in the case of **National Insurance Company Limited vs. Pranay Sethi and others**, 2017 AIR(SC) 5157.

In view of the above, the award is modified as per the

calculation provided under:-

Sr. No.	Head	Amount assessed
1	Income	Rs.1800/- p.m.
2	Future prospects @ 40%	1800 @ 40% = 720 1800 + 720 = 2520
3	Dependency 1/3 rd	2520 @ 1/3 rd = 840 2520-840 = 1680
4	Multiplier	1680 x 12 x 18 = Rs.3,62,880/-
5	Conventional Heads	Rs.70,000/-
6	Addition of every three years @ 10% i.e. 60%	Rs.42,000/-
7	Total	Rs.4,74,880/-
8	Compensation awarded by the Tribunal	Rs.1,30,000/-
9	Differences	Rs.3,44,880/-

Accordingly, the present appeal is allowed to the said extent. The enhanced amount of Rs.3,44,880/- be deposited within two months from the receipt of certified copy of this order alongwith interest already awarded by the Tribunal from the date of the claim petition till its realization.

However, in case the same is not deposited within two months, the same shall thereafter be deposited alongwith interest @ 12% till payment after the expiry of two months.

October 17, 2019
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(NIRMALJIT KAUR)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No