

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

**205**

**FAO-799-2001**

Date of Decision : October 17, 2019

**SARDARI DEVI AND ORS**

.....Appellants

***VERSUS***

**JEET AND ORS**

.....Respondents

**CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR**

Present : Mr. Anil Shukla, Advocate for  
Mr. G.P.Singh, Advocate  
for the appellants.

Ms. Gurpreet Jayia, Advocate for  
Mr. Jagdish Manchanda, Advocate  
for respondents No.1 and 2.

Mr. Man Mohan, Advocate  
for respondent No.3-Insurance Company.

**NIRMALJIT KAUR, J. (Oral)**

Learned counsel for the appellants has prayed for modification of the award dated 18.2.2000 on the ground that the deduction should have been 1/4<sup>th</sup> instead of 1/3<sup>rd</sup> as there are four dependents. Similarly, Rs.70,000/- should have been awarded under the head of consortium whereas only Rs.9,500/- has been granted.

Learned counsel for the respondent-Insurance Company is not in a position to dispute the same in view of the judgment rendered in the case of **National Insurance Company Limited vs. Pranay Sethi and others, 2017 AIR(SC) 5157.**

At the same time, Learned counsel for the respondent-Insurance Company has pointed out that the multiplier of 14 should have been applied whereas multiplier of 15 has been applied.

Learned counsel for the appellants too does not dispute the said legal position.

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. x 12 = Rs.21,600/- |
| 2       | Multiplier                           | 21,600 x 14 = Rs.3,02,400/-       |
| 3       | Conventional Heads                   | Rs.70,000/-                       |
| 4       | Total                                | Rs.3,72,400/-                     |
| 5       | Compensation awarded by the Tribunal | Rs.2,97,500/-                     |
| 6       | Differences                          | Rs.74,900/-                       |

Accordingly, the present appeal is allowed to the said extent. The enhanced amount of Rs.74,900/- 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.  
Whether Reportable.

:  
:

Yes/No  
Yes/No