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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-6342-2015
Date of Decision: July 08, 2019

Rita Sharma and another

.....Appellants

Versus

Shingara Singh and another

.....Respondents

CORAM: HON'BLE MS.JUSTICE NIRMALJIT KAUR

Present: Mr.Abhinav Singla, Advocate
for the appellants.

Mr.Ankur Gupta, Advocate
for respondent No.2-Insurance Company.

.....

NIRMALJIT KAUR, J. (ORAL)

The present appeal has been filed by the claimants. The only argument raised is that the multiplier should have been 9 instead of 8 as age of the deceased was 58 years. This fact is not disputed by learned counsel for respondent N.2-Insurance Company. At the same time, it is also pointed out by learned counsel for the parties that an amount of ₹1,75,000.00 has been given under the head 'Conventional Charges', whereas it should have been ₹70,000.00 as per the judgment of the Hon'ble Apex Court in **National Insurance Company Limited** vs **Pranay Sethi and others**, 2017(16) SCC 680.

In view of the admitted position, while applying the multiplier of 9 and by deducting the excess amount beyond ₹70,000.00 under the head

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Conventional Charges, the amount to be awarded is re-assessed as under:-

Heads	**Amount**
Income	₹71706.00
Future prospects	₹10,756.00 (15% of the income)
Total Income	₹82,462.00
After deducting 1/3rd from the total income, the net amount	₹54,975.00
Multiplier	9
Dependency	₹54,975 x 12 x 9 = ₹59,37,300.00
Conventional charges	₹70,000.00
Total	₹60,07,300.00
Amount awarded by the Tribunal	₹54,37,841.00
Difference	₹60,07,300.00 – ₹54, 37,841.00 = ₹5,69,459.00

Accordingly, the enhanced amount of ₹5,69,459.00 be paid to the appellant-claimants alongwith 6% interest from the date of filing of the claim petition in the same terms as held by the Tribunal within two months from the date of receipt of a certified copy of this order. In case the said amount is not deposited within two months from the date of receipt of a copy of this order, the respondent shall liable to pay the said amount thereafter with 12% interest from the expiry of the period of that two months.

Disposed of.

July 08, 2019 **(NIRMALJIT KAUR)**
meenuss **JUDGE**

1. Whether speaking/reasoned ? **Yes/No**
2. Whether reportable ? **Yes/No**

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