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

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Decided on: 17.10.2019

+ MAC.APP. 858/2018

SUNITA DEVI

..... Appellant

Through: Mr. Sunil Dahiya, Adv.

versus

BHARTI AXA GENERAL INSURANCE CO LTD & ORS

..... Respondents

Through: Mr. M.P. Shahi, Adv.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J. (Oral)

1. This appeal impugns the award of compensation dated 22.09.2017 passed by the learned MACT in Suit No. 5025/16 seeking enhancement of the compensation amount on ground that the age of the deceased being 20 years, the multiplier of 18 ought to have been applied.

2. The said contention is valid. It is ordered that the multiplier of 18 shall be applied. Furthermore, compensation towards 'loss of future prospects' has not been granted to the claimant. Therefore, in terms of the dicta of the Supreme Court in *National Insurance Co. Ltd. vs. Pranay Sethi & Ors.*, (2017) 16 SCC 680. It is so granted. The 'loss of dependency' of the deceased was calculated on the basis of minimum wages applicable to a

Matriculate. In the circumstances, 40% shall be added towards 'loss of dependency'.

3. No other ground is pressed.

4. The computation of the enhancement shall be made by the insurance company within two weeks from the date of receipt of copy of this order and copy of the same shall be supplied to the learned counsel for the appellant as well.

5. Let the enhanced amount, alongwith interest accrued @ 9% from the date of filing of the claim petition till its realization, be deposited before the learned Tribunal within three weeks from the date of receipt of copy of this order to be released to the beneficiary of the Award in terms of the scheme of disbursement specified therein.

6. The appeal is disposed-off in terms of the above.

OCTOBER 17, 2019

AB

NAJMI WAZIRI, J

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