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

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Decided on: 30.10.2019

+ **MAC.APP. 842/2019**

RENU & ORS

..... Appellants

Through: Mr. Anshuman Bal, Advocate.

versus

IFFCO TOKIO GEN INS CO LTD & ORS

..... Respondents

Through: Ms. Aishna Jain, Advocate for Ms.
Shantha Devi Raman, Advocate for
R-1.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J. (Oral)

CM APPL. 46930/2019 (delay of 6 days in filing)

1. This application seeks condonation of delay of six days in filing the appeal.
2. For the reasons mentioned in the application, the delay is condoned.
3. The appeal is taken on record.
4. The application stands disposed-off.

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5. Issue notice.
6. The learned counsel named above accepts notice on behalf of the insurance company.
7. At joint request, the appeal is taken up for disposal.

8. This appeal impugns the award of compensation dated 06.07.2019 passed by the learned MACT in MACP No. 23/16 on account of non-granting of non-pecuniary compensation in terms of the dicta of the Supreme Court in *Magma General Insurance Co. Ltd. vs. Nanu Ram @ Chuhru Ram & Ors.*, 2018 SCC OnLine SC 1546, according to which Rs. 40,000/- and Rs. 50,000/- would be payable to each claimant towards 'loss of consortium' and 'loss of love and affection' respectively, but no such amount has been granted to the appellants by the learned Tribunal.

9. In the circumstances, Rs. 40,000/- and Rs. 50,000/-, is granted as compensation towards 'loss of consortium' and loss of love and affection' respectively, to each of the claimants, alongwith interest @ 9% from the date of filing of the claim petition till its realization. The amount payable under these two heads shall be as under:

S.No.	Particulars	Amount
1.	Loss of consortium [Rs. 40,000 x 6 (claimants)]	Rs. 2,40,000/-
2.	Loss of love and affection [Rs. 50,000 x 6 (claimants)]	Rs. 3,00,000/-
TOTAL		Rs. 5,40,000/-

10. The aforesaid amount shall be deposited by the insurance company before the learned Tribunal within three weeks from the date of receipt of copy of this order, to be released to the beneficiary(ies) of the Award in terms of the scheme of disbursement specified therein.

11. The appeal is disposed-off in the above terms.

NAJMI WAZIRI, J

OCTOBER 30, 2019

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