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

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Decided on: 08.11.2019

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MAC.APP. 864/2019

MEENA DEVI & ANR

..... Appellants

Through Mr.Anshuman, Adv.

versus

IFFCO TOKIO GEN INS CO LTD & ORS

..... Respondents

Through Ms.Aishna Jain, Adv. for Mr.Shantha
Devi Raman, Adv. for R-1.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J (Oral)

CM No.48387/2019 (for condonation of delay)

1. This application seeks condonation of delay of 41 days in filing the appeal.
2. For the reasons mentioned in the application, the delay of 41 days in filing the appeal is condoned.
3. The application stands disposed-off.

MAC.APP. 864/2019

4. Issue notice.
5. Ms.Aishna Jain, Advocate accepts notice on behalf of respondent no.1.
6. At joint request, the appeal is taken up for disposal.
7. This appeal impugns the award of compensation dated 06.07.2019 passed by the learned MACT in MACT Petition No.368/19 on the ground that it has not granted any compensation under non-pecuniary heads.

8. The learned counsel for the appellant contends that compensation towards “loss of consortium” has been awarded @Rs.40,000/-. However, in terms of dicta of Supreme Court in *Magma General Insurance Co. Ltd. v. Nanu Ram Alias Chuhru Ram & Ors.*, SCC OnLine SC 1546, each of the two claimants would be entitled to compensation @Rs.50,000/- and Rs.40,000/- towards “loss of love and affection” and towards “loss of consortium” respectively. The same is granted to the claimants.

Sl.No.	Particulars	Amount
1.	Loss of love and affection Rs.50,000/- x 2	Rs.1,00,000/-
2.	Loss of consortium Rs.40,000/- x 2	Rs.80,000/-
	Total	Rs.1,80,000/-
	Less Rs.40,000/- as already awarded.	Rs.1,40,000/-

9. Let the enhanced amount be paid along with interest @ 9% per annum from the date of filing of the claim petition till its realization and be deposited before the learned Tribunal within three weeks of the date of receipt of copy of this order to be released to the beneficiaries of the award in terms of the scheme of disbursement specified therein.

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

NAJMI WAZIRI, J

NOVEMBER 08, 2019

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