



C.M.A.No.1150 of 2013
and Cross Obj.No.77 of 2013
and M.P.No.1 of 2013

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V.BHAVANI SUBBAROYAN, J,

At request of the learned counsel appearing for the respondent, the matter is taken up for hearing under the caption “for being mentioned”.

2.At Para 15 of the Judgment dated 20.02.2020, insofar as the compensation awarded under the head loss of income is concerned, the Tribunal has taken the age of the mother to arrive the multiplier, which is not correct. This Court is of the considered view that as per the Judgment rendered in the case of **Sarla Verma and others v. Delhi Transport Corporation and another, reported in 2009 (6) SCC 12**, the age of the deceased has to be taken while arriving at compensation under the head “loss of income”. Further more, considering the avocation of the deceased this Court is inclined to take Rs.5,500/- as monthly income of the deceased. In the said monthly income, since the deceased is bachelor he would have spent 50% of the amount. i.e., 2,750/-towards his personal expenses and would have given a remaining 50% of the amount to his family. However, where family of the bachelor is large and the dependant on the income of the



deceased, as in a case where he has a widowed mother and large number of younger non earning sisters or brothers, his personal and living expenses may be restricted to 1/3 and the contribution to the family will be taken as 2/3. Accordingly, the annual income is calculated at Rs.44,004/- (Rs.3,667/- x 12) and the correct multiplier to be adopted is “17” and arrive at Rs.7,48,068/- (Rs.44,004 x 17) as compensation under the head of loss of income. Apart from this, the amount awarded to the loss of love and affection and funeral expenses are enhanced to Rs.30,000/-and Rs.10,000/- from Rs.15,000/- and Rs.5,000/- respectively. Thus, the amount awarded by this Court tabulated as follows:

Loss of income	-Rs.7,48,068/-
Loss of love and affection	-Rs. 30,000/-
Funeral expenses	-Rs. 10,000/-

Total	-Rs. 7,88,068/-

Thus, the award amount is enhanced to Rs.7,88,068/- from Rs.3,80,000/-.

Registry is directed to incorporate the above direction and issue fresh order copy to the parties.

07.11.2023

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mps

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