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

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Decided on: 18.02.2020

+ MAC.APP. 116/2018 & CM APPL. 3705/2018

THE ORIENTAL INS CO LTD

..... Appellant

Through: Mr. S.P. Jain and Mr. Himanshu
Gambhir, Advs.

versus

TEJ PRASAD SHARMA AND ORS

..... Respondents

Through: Mr. S.N. Parashar, Adv. for R-1 &
R-2.

CORAM:

HON'BLE MR. JUSTICE NAJMI WAZIRI

NAJMI WAZIRI, J. (Oral)

1. This appeal impugns the award of compensation dated 19.12.2017 passed by the learned MACT in MACT No. 449822/16, on the ground that multiplier of 17 ought to have been applied instead of 18, in terms of the dicta of the Supreme Court in *Sarla Verma v. Delhi Transport Corporation* (2009) 6 SCC 121. The deceased was in the age bracket of 26 to 30 years.

2. Apropos application of multiplier, the position of law is settled in the dicta of the Supreme Court in *National Insurance Co. Ltd. vs. Pranay Sethi & Ors.*, (2017) 16 SCC 680, which referred to *Sarla Verma* (supra) and held that multiplier of 18 is to be applied for a person upto 25 years of age. The lesser multiplier of 17 is applicable to the age group of 26 to 30 years. Since the deceased had not yet attained the age of 26 years, the lesser

multiplier of 17 would not be applicable. There is no merit in the appeal. Therefore, it is dismissed.

3. The statutory amount, alongwith interest accrued thereon, be deposited into the 'AASRA' Fund created by this Court for the amelioration or the conditioning and rehabilitation of burns victims.

4. Monies deposited, alongwith interest accrued thereon, shall be released to the beneficiaries of the Award in terms of the scheme of disbursement specified therein.

NAJMI WAZIRI, J

FEBRUARY 18, 2020

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