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

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Date of Decision: 10th February, 2020

+ MAC.APP. 324/2013

ANJU SEHGAL & ANR. Appellants
Through Mr.S.N. Parashar, Advocate

versus

JAGBIR SINGH @ SONU & ANR. Respondents
Through Mr.Pankaj Seth, Advocate for
respondent No.2.

CORAM:
HON'BLE MR. JUSTICE J.R. MIDHA

J U D G M E N T (O R A L)

1. The appellants have challenged the award of the Claims Tribunal whereby compensation of Rs.14,36,278/- has been awarded to appellants. The appellants seek enhancement of the award amount.
2. The accident dated 23rd March, 2008 resulted in the death of Akash Sehgal. The deceased was aged 23 years at the time of the accident and was survived by his parents who claimed compensation. The deceased was working as a Trainee Analyst with M/s. WNS Global Services Pvt. Ltd. at a monthly salary of Rs.13,770/- per month.
3. The Claims Tribunal took the income of the deceased as Rs.13,770/- per month; 30% was added towards future prospects; 50% was deducted towards personal expenses and the multiplier of 13 was applied according to the age of the mother to compute the loss of dependency as Rs.13,96,278/-.

The Claims Tribunal awarded Rs.25,000/- towards loss of love and affection and Rs.15,000/- towards funeral expenses. Total compensation awarded is Rs.14,36,278/-.

4. Learned counsel for the appellants seek enhancement on the grounds that the future prospects be enhanced by 50%; the multiplier of 18 be applied according to the age of the deceased; the compensation for loss of love and affection be enhanced to Rs.50,000/- per claimant; the loss of consortium be enhanced to Rs.40,000/- per claimant; and Rs.15,000/- be awarded towards loss to estate.

5. Learned counsel for respondent No.2 urged at the time of the hearing that the compensation awarded by the Claims Tribunal is just, fair and reasonable and does not warrant any enhancement.

6. This Court is satisfied that the claimants are entitled to enhanced compensation amount by adding 50% of the income of the deceased towards future prospects and the multiplier of 18 has to be applied according to the age of the deceased. The claimants are also entitled to compensation of loss of love and affection of Rs.50,000/- per claimant; for loss of consortium of Rs.40,000/- per claimant and Rs.15,000/- towards loss to estate. The appellants are entitled to total compensation of Rs.24,41,000/- (Rs. 24,40,740/- rounded off).

7. The appeal is allowed and compensation awarded by the Claims Tribunal is enhanced from Rs.14,36,278/- to Rs.24,41,000/-.

8. The enhanced compensation amount be deposited by respondent No.2 with the Registrar General of this Court within four weeks.

9. List for disbursement of the compensation amount on 27th March, 2020.

10. Copy of this judgment be given *dasti* to counsel for the parties under signatures of Court Master.

J.R. MIDHA, J.

FEBRUARY 10, 2020

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