

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
MISC. CIVIL APPLICATION (REVIEW) NO.337/2022
IN
FIRST APPEAL NO.181/2018

The New India Assurance Co. Ltd. and another
Vs.
Smt. Latabai w/o Kailash Uike and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri B. P. Bhatt, Advocate for applicants
Shri A.R. Rishi, Advocate for respondent Nos.1 to 3.

CORAM : SMT. M.S. JAWALKAR, J.
DATED : 22/06/2022

The present review application is filed for reviewing order dated 30/08/2021 passed by this Court in First Appeal No.181/2018.

2. By this application, it is urged that at the time of death the deceased Kailash was 38 years of age and as per the guidelines laid down in the case of **Sarla Verma Vs. Delhi Transport Corporation**, the multiplier of 15 applies.

3. Learned Counsel for the applicants argued that at the time of death of Kailash, he was 38 years of age. Learned Counsel for non-applicant also do not dispute this fact. Hence, in view of the judgment, multiplier of 15 would be proper.

4. In view of above, review application is allowed.

5. Amount of compensation in paragraph No.13 be corrected by substituting multiplier of 15 against Sr. No.5 and accordingly the calculations in column against Sr. No.5 would be Rs.4,666/- x 12 x 15 which comes to Rs.8,39,880/-. Accordingly total amount payable would be Rs.9,89,880/-.

6. Correction to be carried out in the judgment dated 30/08/2021.

7. It is informed by learned Counsel for the applicants that amount of award is deposited with the Claims Tribunal, Gondia. Applicants had directed to deposit the amount as stated above i.e. Rs.9,89,880/- within two weeks and applicant is at liberty to adjust the amount, if any, deposited before the Tribunal.

8. Application is disposed of.

JUDGE

R.S. Sahare