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

% ***Reserved on: 23.09.2022***
Pronounced on: 18.10.2022

\+ **MAC.APP. 433/2013**

RAM CHARAN & ORS ..... Appellants
Through: Mr. Anshuman Bal, Advocate.

versus

THE NEW INDIA ASSURANCE CO. LTD. & ORS ..... Respondents
Through: Mr. D.K. Sharma, Advocate for respondent No. 1.

CORAM:
HON'BLE MR. JUSTICE GAURANG KANTH

J U D G M E N T

GAURANG KANTH, J.

1. The Appellants (legal heirs of the deceased) in the present Appeal are assailing the Award dated 19.01.2013 passed by the learned Presiding Officer, Motor Accidents Claims Tribunal, East District, Delhi, seeking an enhancement of the awarded compensation.
2. On the unfortunate day, the deceased and her son, Vinod Kumar were crossing the road when the former got hit by an Indica bearing number DL3CAF 8508. The accident resulted in the instant death of Smt. Kalawati Devi, who was survived by her husband, Mr. Ram Charan and five children (one major son and four married daughters).

3. Accepting the argument of the Insurance Company, learned Claims Tribunal held that the Appellants were not financially dependent on the deceased. Hence the learned Claims Tribunal, based on the law laid down by the Hon'ble Apex Court in ***National Insurance Company Ltd Vs Meghji Narn Sortiya*** reported as **II 2009 ACC 289 (SC),** held that the Appellants are not entitled for the compensation under the head 'Loss of dependency'. Instead they were granted the compensation under the head 'Loss of Estate'. The learned Claims Tribunal assessed the compensation under the head 'Loss of Estate' by applying the same calculation method as that for calculating the compensation under the head 'Loss of Dependency'. Learned Claims Tribunal has taken the age of the deceased as 56 and based on the Judgement of the Hon'ble Apex Court in ***Sarla Verma & Ors. Vs DTC & Anr.*** reported as **(2009) 6 SCC 121**, applied the multiplying factor as '9'. Further, the salary of the deceased was taken as Rs. 16,335/- (after deducting the TA and washing allowance). 50% of her salary was deducted towards her personal expenses. Since she was above 56 years old, no future prospects have been granted. Hence based on these figures, learned Claims Tribunal calculated the compensation under the head 'Loss of Estate' as Rs. 8,82,144/. In addition, Rs.10,000/- was granted towards Loss of Consortium, Rs. 25,000/- was granted towards loss of love and affection, Rs. 10,000/- was granted towards funeral expenses. Hence the learned Claims Tribunal granted a

total compensation of Rs. 9,27,144/- at an interest rate of 7.5% per annum from the date of filing the claim till its realisation.

4. Before delving into the particulars of the computation, it is imperative to determine the customary heads under which compensation can be awarded. The Hon'ble Supreme Court in ***National Insurance Company Limited vs Pranay Sethi*** reported as ***(2017) 16 SCC 680*** has ascertained the conventional heads and the standard compensation to be awarded under such heads. The following was held in judgment :-

> *"The conventional and traditional heads, needless to say, cannot be determined on percentage basis because that would not be an acceptable criterion. Unlike determination of income, the said heads have to be quantified. Any quantification must have a reasonable foundation. There can be no dispute over the fact that price index, fall in bank interest, escalation of rates in many a field have to be noticed. The court cannot remain oblivious to the same. There has been a thumb rule in this aspect. Otherwise, there will be extreme difficulty in determination of the same and unless the thumb rule is applied, there will be immense variation lacking any kind of consistency as a consequence of which, the orders passed by the tribunals and courts are likely to be unguided. Therefore, we think it seemly to fix reasonable sums. It seems to us that reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses should be Rs. 15,000/-, Rs. 40,000/- and Rs. 15,000/- respectively. The principle of revisiting the said heads is an acceptable principle. But the revisit should not be fact-centric or quantum-centric. We think that it would be condign that the amount that we have quantified should be enhanced on percentage basis*

> *in every three years and the enhancement should be at the rate of 10% in a span of three years. We are disposed to hold so because that will bring in consistency in respect of those heads."*

5. From the perusal of the judgment of ***Pranay Sethi (Supra)***, it is emphatically clear that for the conventional heads, namely, '*Loss of Estate*', *Loss of Consortium*' and '*Funeral Expenses*' the amount of compensation is fixed at Rs. 15,000/-, Rs. 40,000/- and Rs. 15,000/-, respectively with an increase of 10% after a period of 3 years.
6. The learned Claims Tribunal in the present case has misconstrued '*Loss of Dependency'* with '*Loss of Estate'*. From the dicta in ***Pranay Sethi (Supra)***, it is unequivocally clear that the '*Loss of Estate'* cannot be calculated based on the income of the deceased. Hence, this Court is of the view that the compensation towards '*Loss of Estate'* must be awarded in consonance with the law laid down by the Hon'ble Supreme Court in ***Pranay Sethi (Supra)*** as opposed to the calculation made by the learned Claims Tribunal.
7. The learned Claims Tribunal held that the Appellants would not be entitled to any compensation under the head of '*Loss of Dependency'*. The underlying reason for the said finding was that the legal heirs of the deceased were not financially dependent on the deceased. Hence, the germane question to be addressed is whether the Appellants are entitled for the compensation under the head 'Loss of Dependency'.

8. The learned counsel for the Appellants heavily relied on ***National Insurance Company Limited v. Birender and Ors*** reported as ***(2020) 11 SCC 356*** to establish that they are the legal representatives of the deceased and hence entitled for the compensation under the head '*Loss of Dependency"*. The Hon'ble Supreme court in ***Birender (Supra)*** *was* examining the legal issue *'Whether the major sons of the deceased who are married and gainfully employed or earning can claim compensation under the Motor Vehicles Act, 1988'*, and held as follows:

> *"12. **The legal representatives of the deceased could move application for compensation by virtue of clause (c) of Section 166 (1). The major married son who is also earning and not fully dependant on the deceased would be still covered by the expression "legal representative" of the deceased.** This Court in Manjuri Bera (supra) had expounded that liability to pay compensation under the Act does not cease because of absence of dependency of the concerned legal representative. Notably, the expression "legal representative" has not been defined in the Act.*
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> *13. In paragraph 15 of the said decision, while adverting to the provisions of Section 140 of the Act, the Court observed that even if there is no loss of dependency, the claimant, if he was a legal representative, will be entitled to compensation. In the concurring judgment of Justice S.H. Kapadia, as His Lordship then was, it is observed that there is distinction between "right to apply for compensation" and "entitlement to compensation". The compensation constitutes part of the estate of the deceased. As a result, the legal*

representative of the deceased would inherit the estate. Indeed, in that case, the Court was dealing with the case of a married daughter of the deceased and the efficacy of Section 140 of the Act. Nevertheless, the principle underlying the exposition in this decision would clearly come to the aid of the respondent Nos. 1 and 2 (claimants) even though they are major sons of the deceased and also earning.

*14. **It is thus settled by now that the legal representatives of the deceased have a right to apply for compensation. Having said that, it must necessarily follow that even the major married and earning sons of the deceased being legal representatives have a right to apply for compensation and it would be the bounden duty of the Tribunal to consider the application irrespective of the fact whether the concerned legal representative was fully dependant on the deceased and not to limit the claim towards conventional heads only**. The evidence on record in the present case would suggest that the claimants were working as agricultural labourers on contract basis and were earning meagre income between Rs.1,00,000/ and Rs.1,50,000/ per annum. In that sense, they were largely dependant on the earning of their mother and in fact, were staying with her, who met with an accident at the young age of 48 years."*

9. In the present case, PW-2 during his evidence stated that the deceased was contributing her entire salary for the household expenses. Since the Respondents have not presented any proof to the contrary, there is no reason to disregard the statement of PW2. The deceased was an earning member of the family.

Hence, it is concomitant to presume that she was contributing her earnings towards the family expenses. Hence applying the law laid down by the Hon'ble Apex Court in **Birender (supra)**, one can presume that her family was financially dependent on the deceased.

10. The deceased had one major son and 4 married daughters. It was argued on behalf of the Respondent/Insurance Company that the married daughters cannot be treated as dependents of the deceased.

11. In this regard, parallels can be drawn from the judgement passed by the Hon'ble Kerala High Court in ***United India Insurance Co. Ltd v. Shalumol*** in **MACA No. 1768 of 2021**. This case dealt with the entitlement of married daughters and the parents of the deceased to claim under the head of '*Loss of Dependency'*. It provides a more vocal stance on the holding in ***Birender (Supra)***. The Hon'ble High Court, while examining the contours of '*Loss of Dependency'*, had held the following :-

> *"48. The Madras High Court (through Justice S. Manikumar, as he then was) in Branch Manager, ICICI Lombard General Ins. Co Ltd. v. Kaliyamoorthy and others [2018 KHC 5479 (2020) 11 SCC 356], while dealing with a case filed by the parents and married sister, held thus:*
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> > ***"14.Even in the case of married daughters, a father or mother or brother, can still monetarily help a married daughter, depending upon the need or out of love and affection. A mother can continuously render her valuable service to her daughter, even if the daughter is married. Similarly, a married daughter***

> ***would still continue to assist her mother, or father, in the case of need. Contribution by means of service or income, both can be taken into account to determine the quantum of compensation.*** *A married daughter is a legal representative, as per the law of succession and that she is entitled to make a claim and it is for the Claims Tribunal or Court, to apportion the amount, between the claimants, depending upon the loss of contribution suffered by the married daughter."*

50. It would be preposterous to accept the contention of the learned counsel for the Appellant that a 25 year old daughter would be no longer dependent on her 49 year old mother because she was given in marriage. The bond between a mother and a daughter is eternal. I reminisce the quotation of Cardinal Mermillod – "No matter how old she may be, sometimes a girl just needs her mom."

51. ***Even if dependency is a relevant criterion to claim compensation for loss of dependency, it does not mean financial dependency is the 'ark of the covenant'. Dependency includes gratuitous service dependency, physical dependency, emotional dependency, psychological dependency, and so on and so forth, which can never be equated in terms of money"***

12. The Karnataka High Court vide order dated 04.08.2022 in **MFA No.102868/2014** titled as ***Reliance General Insurance Company Ltd Vs Gangappa & Ors*** also had an occasion to examine whether the major married daughters can be treated as

dependents of the deceased mother. Relying upon ***Birender (Supra)***, the Hon'ble Karnataka High Court held as follows:

> *"23. The Apex Court in the said judgement further held even married sons are also entitled for compensation. This Court also cannot make any discrimination whether they are married sons or married daughters and hence, very contention that married daughters of deceased are not entitled for compensation cannot be accepted and the Court has to take note of the rationale behind in coming to the conclusion of even married sons and major sons are eligible to claim compensation and hence the married daughters also entitle for compensation on all the heads and not to limit only for conventional heads.*
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> *24. Counsel for respondents/claimants also relied upon a judgement of Kerala High Court in the case of Shalumol supra. In paragraph Nos.50 and 51 of the said judgement, Kerala High Court also held that bond between the mother and daughter is eternal and further observed that even if the dependency is relevant criterion to claim compensation for loss of dependency, it does not mean financial dependency is the 'ark of the covenant'. Dependency includes gratuitous service dependency, physical dependency, emotional dependency, psychological dependency so on and so forth, which can never be equated in terms of the money.*
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> *25. Having considered the principles laid down in the judgements referred to supra, this Court has taken note of recent judgement of the Apex Court in Birender, wherein it is held that even married sons are entitled for compensation not only on conventional heads but also on loss of dependency.*

> *Hence, the very contention of the appellant-insurance company cannot be accepted."*

13. This Court is in respectful agreement with the view expressed by the Kerala High Court and Karnataka High Court in this regard. Nevertheless, it cannot be denied that the loss of other forms of support endured by the Appellants is immeasurable. By virtue of the Motor Vehicles Act, 1988, being a welfare legislation, there is no cogent reason to deny the Appellants from obtaining compensation for their loss of dependence, regardless of the nature or form of the dependence. There cannot be any discrimination between married sons and married daughters and hence both of them are entitled for the compensation under the head *'Loss of Dependency'*. Based on the above findings, this court is of the view that the Appellants are entitled to receive compensation under the head of '*Loss of Dependency'*.
14. The learned counsel for the Appellants made a threefold submission towards the enhancement of the sum to be awarded against the head of '*Loss of Dependency'*: (i) Inclusion of allowances to the actual income of the deceased, (ii) Calculation of future profits, (iii) deduction of personal expenses.
15. It was submitted on behalf of the Appellant that the learned Claims Tribunal erred in appreciating the income of the deceased by excluding the Travel Allowances and Washing Allowances that were conferred to her as a Safai Karamchari. The income of the deceased, excluding the allowances, amounted to Rs.16,335/- as opposed to the income of Rs.19,095/- asserted by the counsel

for the Appellant. It was their case that such allowances constitute a part of the income of the deceased and placed reliance on the case of ***Meenakshi Mishra & Ors vs Tarsem Singh & Ors*** reported as **2012 ACJ 1006**.

16. Allowances are special benefits accorded to employees, the benefits of which are reaped either by employees alone or by their families as well. Including all incentives, bonuses or allowances to the income would be of inconsistent logic as the legal heirs would reap the benefits of certain allowances regardless of whether they enjoyed the same status prior to the demise of the deceased or not. Thus, evaluating the nature of the allowance/incentive must be the clincher in determining if such allowance/incentive must be considered a part of the actual income of the deceased.

17. The court in the case of ***Meenakshi Mishra (Supra)*** nowhere implies a blanket inclusion of all allowances or benefits. In fact, the allowances that were included as a part of the salary in the case are ones that the family of the deceased were also enjoying when he was alive.

18. It can be observed that the Hon'ble Supreme Court in the case of ***Oriental Insurance Company vs Jashuben and Ors*** reported as ***(2008) 4 SCC 162*** had critically examined the conundrum of inclusion of allowances. The deceased, in the said case, was entitled to several allowances, including washing and conveyance allowance, *albeit* all such allowances were not included while

calculating the income of the deceased. Adverting to the portion on the inclusion of allowances alone, the following was held :-

> *"26. Even certain allowances payable to the deceased could have been taken into consideration in the changing social scenario. In National Insurance Company Ltd. v. Indira Srivastava & Ors], it is useful to notice, this Court observed :*
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> > *"19[17].* ***The amounts, therefore, which were required to be paid to the deceased by his employer by way of perks, should be included for computation of his monthly income as that would have been added to his monthly income by way of contribution to the family as contra distinguished to the ones which were for his benefit. We may, however, hasten to add that from the said amount of income, the statutory amount of tax payable there upon must be deducted."***
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> *27. Noticing the dictionary meaning of income, it was held :*
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> > *"21[19]. If the dictionary meaning of the word 'income' is taken to its logical conclusion, it should include those benefits, either in terms of money or otherwise, which are taken into consideration for the purpose of payment of income-tax or profession tax although some elements thereof may or may not be taxable or would have been otherwise taxable but for the exemption conferred thereupon under the statute."*
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> *28. We, therefore, are of the opinion that what would have been the income of the deceased on the date of retirement was not a relevant factor in the light of peculiar facts of this case and, thus, the approach of the Tribunal and the High Court must be held to be incorrect. It is impermissible in law to take into consideration the effect of revision in scale of pay*

w.e.f. 1.1.1997 or what would have been the scale of pay in 2002.

29. The loss of dependency, in our opinion, should be calculated on the basis as if the basic pay of the deceased been Rs. 3295/- X 2 = Rs. 6,590/-, thereto should be added 18.5% dearness allowance which comes to Rs.1219/-, child education allowance for two children @ Rs.240/- X 2 = Rs.480 and child bus fair Rs.160 X 2 = Rs.320/- should have been added which comes to Rs.8,609/-."

19. Reckoning ***Jashuben (Supra)***, the holding in ***Meenakshi Mishra (Supra)*** can thus be distinguished from the facts of the present case. Since the benefits granted to the deceased were Travel and Washing Allowances which solely satisfied the purpose of ameliorating the hassles faced by employees during their employment, the Appellants cannot gain from such allowances that the deceased had enjoyed during his employment. In fact, a perusal of the salary slip of the deceased, Smt. Kalawati Devi, shows that the salary of the deceased is inclusive of Dearness Allowance and House Rent Allowance, which has not been deducted by the learned Claims Tribunal. From this, it is evident that the learned Claims Tribunal has only deducted the allowances that were solely for the personal benefit of the deceased. This court thus concurs with the findings of the learned Claims Tribunal on the exclusion of Travel and Washing allowance from the income of the deceased.

20. It was the submission of the counsel for the Appellant that the learned Claims Tribunal erred by not taking into account the

'future prospects' of the deceased while computing her income. It was their case that the deceased was a permanent government employee who was entitled to future prospects. Learned counsel had relied on the dicta in ***Pranay Sethi (Supra)*** to state that future prospects @ 15% were applicable on the income of the deceased. The following was the holding in the case :-

> *"60. The controversy does not end here. The question still remains whether there should be no addition where the age of the deceased is more than 50 years. Sarla Verma thinks it appropriate not to add any amount and the same has been approved in Reshma Kumari. Judicial notice can be taken of the fact that salary does not remain the same. When a person is in a permanent job, there is always an enhancement due to one reason or the other. To lay down as a thumb Rule that there will be no addition after 50 years will be an unacceptable concept.* ***We are disposed to think, there should be an addition of 15% if the deceased is between the age of 50 to 60 years and there should be no addition thereafter.*** *Similarly, in case of self-employed or person on fixed salary, the addition should be 10% between the age of 50 to 60 years. The aforesaid yardstick has been fixed so that there can be consistency in the approach by the tribunals and the courts."*
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> *(emphasis supplied)*

21. The deceased in the present case was between the age of 56 and 57 at the time of her demise. On 22.08.1984, the deceased was a permanent/regular Safai Karamchari which entitles her to future prospects @ 15%. This court disagrees with the findings of the learned Claims Tribunal on this issue. As per the dicta of ***Pranay***

Sethi (Supra), the Appellants are entitled to add 15% of her salary towards the future prospects.

22. It was the case of the counsel for the Appellants that the deduction of the personal expenses of the deceased must be 1/4th rather than 1/2. Counsel refers to paragraphs from the case of ***Sarla Verma (Supra)*** which were upheld in ***Pranay Sethi (Supra)*** as well. The following was held in the case :-

> *"14. Though in some cases the deduction to be made towards personal and living expenses is calculated on the basis of units indicated in Trilok Chandra, the general practice is to apply standardized deductions.* ***Having considered several subsequent decisions of this Court, we are of the view that where the deceased was married, the deduction towards personal and living expenses of the deceased, should be one-third (1/3rd) where the number of dependent family members is 2 to 3, one-fourth (1/4th) where the number of dependant family members is 4 to 6, and one-fifth (1/5th) where the number of dependant family members exceed six****.*
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> *15. Where the deceased was a bachelor and the claimants are the parents, the deduction follows a different principle.*
>
> *In regard to bachelors, normally, 50% is deducted as personal and living expenses, because it is assumed that a bachelor would tend to spend more on himself. Even otherwise, there is also the possibility of his getting married in a short time, in which event the contribution to the parent/s and siblings is likely to be cut drastically. Further, subject to evidence to the contrary, the father is likely to have his own income and will not be considered as a dependant and the mother alone will be considered as a dependent. In the absence of evidence to the contrary, brothers and sisters will not be considered as dependents, because*

they will either be independent and earning, or married, or be dependant on the father.
***Thus even if the deceased is survived by parents and siblings, only the mother would be considered to be a dependant, and 50% would be treated as the personal and living expenses of the bachelor and 50% as the contribution to the family. However, where family of the bachelor is large and 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 one-third and contribution to the family will be taken as two-third*.”**

23. This Court already held that all the Appellants are the dependents of the deceased. Hence this court is of the view that an amount equal to 1/4th her income can be deducted towards her personal expenses. The rationale being, through the expansive view on dependency taken ***in Birender (Supra)*** and ***Shalumol (Supra)***, the courts do not discredit the standards for the fraction of deductions arrived at in ***Pranay Sethi (Supra)***. In fact, the courts in the latter case (***Shalumol (Supra)***) have relied on the standard established in ***Pranay Sethi (Supra)*** while adopting a broad perspective on dependency.

24. It was averred by the counsel for the Appellants that the rate of interest awarded by the learned Claims Tribunal should have been at 9% per annum instead of 7.5% per annum. To substantiate the same, the counsel had cited several judgements where the courts have modified the rate of interest granted by the Tribunals to 9% per annum, such as ***Erudhaya Priya vs Express Transport Corporation Ltd*** reported as **2020 SCC OnLine SC**

601 and ***Kirti and Anr vs Oriental Insurance Co Ltd,*** reported as **(2021) 2 SCC 166**. The courts in these cases have provided no reasoning or rationale behind granting such a percentage.

25. To evaluate the submission made by counsel for the Appellants, it is imperative to examine the guiding principles for the grant of interest. In ***Abati Bezbaruah v. Geological Survey of India***, (2003) 3 SCC 148, the following was held while interpreting section 171 of the Motor Vehicles Act, 1988 :-

> *"Three decisions were cited before us by Mr A.P. Mohanty, learned counsel appearing on behalf of the Appellant, in support of his contentions. No ratio has been laid down in any of the decisions in regard to the rate of interest and the rate of interest was awarded on the amount of compensation as a matter of judicial discretion. The rate of interest must be just and reasonable depending upon the facts and circumstances of each case and taking all relevant factors including inflation, change of economy, policy being adopted by Reserve Bank of India from time to time, how long the case is pending, permanent injuries suffered by the victim, enormity of suffering, loss of future income, loss of enjoyment of life etc., into consideration. No rate of interest is fixed under Section 171 of the Motor Vehicles Act, 1988. Varying rates of interest are being awarded by Tribunals, High Courts and the Supreme Court. Interest can be granted even if a claimant does not specifically plead for the same as it is consequential in the eye of law. Interest is compensation for forbearance or detention of money and that interest being awarded to a party only for being kept out of the money which ought to have been paid to him. No principle could be*

deduced nor can any rate of interest be fixed to have a general application in motor accident claim cases having regard to the nature of provision under Section 171 giving discretion to the Tribunal in such matter. In other matters, awarding of interest depends upon the statutory provisions, mercantile usage and doctrine of equity. Neither Section 34 CPC nor Section 4-A(3) of the Workmen's Compensation Act are applicable in the matter of fixing rate of interest in a claim under the Motor Vehicles Act. The courts have awarded the interest at different rates depending upon the facts and circumstances of each case. Therefore, in my opinion, there cannot be any hard-and-fast rule in awarding interest and the award of interest is solely on the discretion of the Tribunal or the High Court as indicated above."

26. The learned Claims Tribunal granted interest @ 7.5% per annum while exercising its discretion. This Court finds no error in exercising such a discretion and hence this court is not inclined to interfere with the rate of interest as granted by the learned Claims Tribunal.

27. Learned counsel for the Appellants has relied on ***United India Insurance Co. Ltd. vs Satinder Kaur***, reported as **(2021) 11 SCC 780**, which affirmed the ruling on the conventional heads in ***Pranay Sethi (Supra)*** for an enhancement of the sum awarded under the said heads. In the light of the submissions made by the counsel for the Appellants and a perusal of ***Pranay Sethi (Supra)***, it can be ascertained that not only the quantum of compensation awarded by the learned Claims Tribunal ought to be enhanced/modified, but the heads under which such

compensations have been awarded also require modification. Apart from the conventional heads, no separate compensation can be awarded under the head '*loss of love and affection*' as the same has to be construed under '*Loss of Consortium'*. The compensation for '*Loss of Consortium'* that each of the Appellants is entitled to is Rs. 44,000/- after taking into account the enhancement in a span of three years.

28. The amount awarded towards '*Funeral Expenses'* is Rs. 10,000/- which is extremely marginal in comparison to the standard set in ***Pranay Sethi (supra).*** Hence the sum ought to be enhanced in consonance with the prevailing law.

29. In view of the above discussion, the impugned Award dated 19.01.2013 is modified to the following extent:

S.No	Head	Compensation awarded
1.	Loss of Dependency (Rs.16,335 + 2450 = Rs.18,785) (Rs.18,785 – Rs. 4696 = Rs.14,089) (Rs 14,089 x 12 x 9)	Rs. 15,21,612/-
2.	Funeral charges	Rs.16,500/-
3.	Loss of estate	Rs.16,500/-
4.	Loss of Consortium (Rs. 44,000 x 6)	Rs.2,64,000/-

30. Accordingly, the computation of compensation by the learned Tribunal is enhanced from Rs.9,27,144/- to Rs. 18,18,612/-.

31. The Respondent/Insurance Company is directed to deposit the entire differential amount with the Registrar General of this Court within a period of 4 weeks. On deposit of the entire differential amount, the same may be released to the Appellants as per the proportion as indicated by the learned Claims Tribunal within a period of two weeks thereafter. The Statutory amount, if deposited, be released to the appellant.

32. Appeal stands disposed of. No order as to costs.

GAURANG KANTH
(JUDGE)

OCTOBER 18, 2022