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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 618 OF 2016

Smt. Megha Vinayak Sonawane )  
Aged 35 years, Occ. Service )  
R/o. Flat No.5, Shree Sai Residency )  
First Floor, Opp. Dnyandeep School )  
S.No. 5312/13/2/14, Wadgaon Bk. )  
Dist. Pune. ) ...Appellant.

**Versus**

1. Bajirao Ranuba Khese )  
Age Major, Occ. business )  
R/o. Lohagaon, Taluka Haveli )  
Dist. Pune. )  
  
2. National Insurance Co. Ltd. )  
Having its Registered Office at )  
Goodluck Chowk, Deccan Gymkhana, )  
Pune 4111006 ) ...Respondents

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Mr. Abhijeet A. Joshi for the Appellant.  
Mr. Amol Gatne for the Respondent No. 2.  
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**CORAM : S. G. DIGE, J.**

**DATE : 13<sup>th</sup> FEBRUARY 2023.**

**JUDGMENT :**

1. The issue involved in this Appeal is wrong multiplier applied by the MACT, Pune (for short, '**the Tribunal**').

2. The learned counsel for Appellant submits that the deceased was 14 years old at the time of accident. The Tribunal has applied multiplier of 15, it should be 16. The tribunal ought to have applied the multiplier on the basis of age of parents and not the deceased. The father of deceased was 36 years old, whereas the mother of deceased was 32 years old. Hence the multiplier should have been '16' instead of '15' but, this fact is not considered by the tribunal. Hence requested to allow the Appeal.

3. It is contention of learned counsel for the Respondents, that the Tribunal has properly applied the multiplier of 15 as per the view of Hon'ble Apex Court in the case of **National Insurance Co. Ltd. vs. Pranay Sethi, 2017 ACJ 2700 (SC)**. For the age below 15, the multiplier is 15. The deceased was 14 years old, hence, proper multiplier is 15. Hence, requested to dismissed the Appeal.

4. I have heard both learned counsel, perused judgment and order passed by the Tribunal. The issue involved in this Appeal is of

multiplier. Admittedly, there is no dispute about the age of deceased, he was 14 years old.

5. It is contention of learned counsel for the Appellant, that the multiplier should have been applied as per the age of parents of the deceased. In my view as per the view taken by Hon'ble Apex Court in the case of **Pranay Sethi (supra)**, the proper multiplier for the age of 14 years is 15 years. The Tribunal has properly applied the multiplier, the appeal is devoid of merit. Hence I pass following order.

### **ORDER**

- i. Appeal is dismissed. No order as to cost.

**(S. G. DIGE, J.)**