



FAO-3511-2006 (O&M)

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

207

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Date of Decision: 04.10.2024

Smt. Jaswant Kaur and ors.

.....Appellant(s)

Vs.

Rajinder Kaur and others

.....Respondent(s)

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Neeraj Khanna, Advocate
for the appellants.

Ms. Madhu Sharma, Advocate
for respondent No. 7-Insurance Company.

SUDEEPTI SHARMA J. (ORAL)

1. The present appeal has been preferred against the award dated 20.03.2006 passed in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988 by the learned Motor Accident Claims Tribunal, Ambala (for short, 'the Tribunal'), vide which the claim petition filed by the appellants/claimants was dismissed.

FACTS NOT IN DISPUTE

2. The brief facts of the case are that on 22.08.2001, Raj Singh @ Raju (since deceased) was coming to his Village from Ismaliabad by Scooter bearing No. HR-07D-2754 and Sahib Singh was a pillion rider. At about 12:30 P.M, when they reached within the area of Ismaliabad in front of Kothi of Tara Chand, in the meantime, a tractor bearing No. PB-12E-8499 came from opposite side and struck against the scooter of deceased Raj Singh @ Raju by going on extreme right side of the road on kacha burm. As a result both the occupants of



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the scooter fell down along with scooter. The offending tractor ran over the deceased and they suffered multiple, grievous injuries and were taken to PGI, Chandigarh, where Raj Singh @ Raju died on the same day. The matter was reported to the Police and FIR was got registered.

3. Upon notice of the claim petition, respondents appeared and denied the factum of accident/compensation.

4. From the pleadings of the parties, the Tribunal framed the following issues:-

1. Whether the accident took place due to rash and negligent driving of respondent No. 1 while driving tractor bearing No. PB-12-E-8499? OPP.

2. If issue no.1 is proved, to what amount of compensation, the claimants are entitled for and from whom? OPP

3. Whether respondent No. 1 was not holding a valid and effective driving licence at the time of alleged accident? OPR (3).

4. Whether respondent NO. 3 is entitled to various defenses available under the M.V. Act? OPR (3)

5. Relief.

5. After taking into consideration the pleadings and the evidence on record, the learned Tribunal dismissed the claim-petition. The relevant portion of the award reads as under:-

“11. To prove the involvement of tractor bearing registration No. PB-12-E-8499 and that accident having taken place on account of rash and negligent driving of respondent No.1, the onus was upon claimants. To support their case claimants have called eye witness and informant of FIR, namely Sahib Singh, as PW2, who deposed that on

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Ismilabad to his village Kathgarh on scooter No. HR- 07-D-2754, being driven by deceased Raj Singh on the correct side of the road. When they reached near the Kothi of one Tarachand on Ismilabad-Kathgarh Road, in the meantime a blue color tractor Marka Sonalika, bearing registration No. PB-12-E-8499, came from the opposite side, i.e., village Kathgarh side, and hit against their scooter on Kacha berm by coming on extreme wrong side of the road. As a result they both fell down along with their scooter. He himself fell on the Katcha portion of the road and Raj Singh deceased fell down on the metttled portion on the road. The tractor then stopped at a distance of 20 yards. Balbir Singh, Sarpanch and Ramesh Kumar also reached at thespot. Raj Singh was then taken to PGI, Chandigrh, but he succumbed to his injuries in the PGI on the same day in the evening at about 5.00 p.m Police recorded his statement at the spot and on basis of his statement, FIR (Exh.P2) was recorded. The driver of the tractor had ran away from the spot immediately after the accident and police had taken the tractor into possession in his presence. At that time tractor was having no registration number allotted to it as it was a new tractor and police recorded its engine number and chassis number in his statement.

12. During his cross-examination, PW2 was unable to state that whether the engine number and chassis number of the tractor were in Hindi or in English. He then himself clarified that he had not disclosed the engine number, chassis number or registration number of the tractor to the police. He also stated that police has not taken any document of the tractor, i.e., registration certificate, bills, proof of

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ownership, etc. in his presence. He further stated that driver of the tractor was not known to him prior to the accident and police has arrested him within two days of the accident. He also gone to the extent of saying that police has recorded his statement at about 6/7.00 p.m. in his village and at that time village Sarpanch and other respectable persons of the village were also present. He admitted that he has not sustained any injury in the said accident. He denied the suggestion that he was not traveling with the deceased at the time of accident and that an unknown vehicle has caused the accident and that tractor in question was not involved in this accident in any manner and he is deposing falsely being the relative of the deceased.

13. When claimants called Balbir Singh, Sarpanch in the witness box as PW3 to support the deposition of eye witness Sahab Singh (PW/2), Balbir Singh after the accident he alongwith other perse on oath went to the place of accident where police has taken the tractor in question alongwith its relevant documents into possession in his presence. He I however, added immediately in his next statement that no documents were taken by the golice in his presence. During his cross-examination he very categorically admitted that he was not present at the time of accident and he had not accompanied the deceased to the PGI, Chandigarh.

14. Claimants have not examined any other witness regarding the: lanner of accident. So for seeing the involvement of tractor in question and the negligence, if any, of its driver, i.e., respondent No.1, this Tribunal has to go minutely into the depositions of PW2 & PW3 and the documents placed on record in this regard. So far depositions of

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these two witnesses is concerned, there is apparent material contradictions between their depositions. PW2 is alleging that PW3 has also reached at the spot in his presence and by making said statement he has given an impression that PW3 has witnessed the accident. However, on the other hand, PW3 in very words denied that accident in question has taken place in his presence. Thus, the deposition of PW3 is not an eye-witness account. He has projected himself to be a recovery witness of the alleged offending tractor in question.

15 *To assess the veracity of the depositions of eye witness and recovery witness, there is a police file (Ex.P3) and judicial file on the record of the case. A perusa. of Exh.P3 reveals that while recording zimni(s) on 22.08.2001 at 6.50 p.m., the Investigating Officer of the case has recorded that while he was patrolling the area, he found one unnumbered tractor Sonalika of blue colour and one scooter bearing registration No. HR-07-D2754 in an accidental condition on Kathgarh road where Sahab Singh (PW2), Balbir Singh, Sarpanch (PW3) and Ramesh Chand r/o Kathgarh were present. He recorded the statement of Sahab Singh and sent the same to the police station Ismailabad, on basis of which FIR (Exh.P2) was recorded at the police station at 7.05 p.m.*

16. *From the above timings recorded in the police documents, it has come on record that accident has taken place at about 12/12.30 p.m., police reached on the spot at 6.50 p.m. and the statement of the informant as recorded by the Investigating Officer at spot reached at the police station at 7.05 p.m. The distance between the police station*

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and the place of accident has been shown as one kilometer in the FIR (Exh.P2). It is very surprising, if not quite unnatural in the sequence of the events of present case, that a major accident has taken place at a distance of one kilometer from the police station but its intimation has reached to the police after more than six hours and that too on the casual routine visit of the police through that route and not on account of any specific intimation sent by the eye-witness (PW2), who had not accompanied the injured to the hospital and remained standing on the spot to inform the police.

17. Reverting back to the police file (Ex P3), Investigating Officer of the case has allegedly noted the ga of the recovery of accidental vehicles in his zimni No.2 of dated 22.08.2001 at page No.6 of Exh.P3. A perusal of this zimni shows undesired blank space at points where engine number and chassis number of the tractor in question has been noted. It gives an impression that initially a blank space was left for noting the engine number and chassis number of the tractor and later on both said numbers were inserted in the blank space resulting into undesired blank space between the lines. So is the case when Investigating Officer recorded the statements of Ramesh Chand and Balbir Singh, Sarpanch, (PW3) under Section 161, Cr.P.C. at page No.8 & 9 of Exh.P3.

18. The suspicion of the police documents/challan & zimni(s) (Exh.P3) could be clarified by the statement of Sahab Singh (PW2), which the Investigating Officer has sent immediately to the police station for recording the FIR prior to recording suspicious statement of witnesses and zimni of recovery memo. The same is on the judicial file of the

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criminal case and said file is also before this Tribunal. (The said criminal case has since been closed after the death of the driver of the offending tractor). A perusal of same reveals that no engine number or chassis number of tractor in question has been there in the statement of Sahab Singh and consequently in the FIR (Exh.PB). Further, the recovery memo of accidental tractor and scooter, as lying attached with the judicial file of the criminal case, goes to show that Investigating Officer has prepared the same on 22.08.2001 without noting the engine number and chasis number of the tractor and both these numbers were lateron inserted in said recovery memo at the bottom line by a separate ink. T criminal file further shows that mechanical examination of tractor was conducted at police station Ismailabad on 30.08.2001, i.e., after a week then its alleged recovery from the spot. The driver of the tractor in question has surrendered himself before the police on 06.09.2001. The most eye-- catching feature of the criminal case was six photographs of accidental vehicles. Out of these photographs, in two of them scooter was seen lying accidental all alone on the road and the blood marks/spots were visible on the road near the scooter, but no tractor was seen there in the vicinity. However, in remaining four photographs a tractor was shown standing adjacent to the scooter. The first two photographs (of scooter alone) make the scenario shown in remaining four photographs (of scooter & tractor both) altogether impossible qua the presence of tractor at the spot. Even otherwise the accidental scooter was shown lying few inches ahead of the front tyre of the tractor and impression of blood on the road was between the front two tyres of

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said tractor, but there were no skid marks on the road behind the tyres of the tractor. The doctrine of 'res ipsa loquitor' is fully applicable to the present case and speaks loudly that tractor has been brought to the spot much after the actual accident of the scooter in question. (Photocopies of the four documents and six photographs as discussed above I placed on the record of the claim petition from the criminal case file).

19. The manner of accident in question can be looked from other angles, viz., from the angle in which alleged eye-witness Sahab Singh (PW2) has alleged that the injured/deceased has sustained injuries and how and when he was carried to the PGI from the spot. In his statement to the police, PW2 alleged that offending tractor has run over the deceased. But while deposing before the court, PW2 failed to stick with his prior police statement and simply stated that offending tractor hit against their scooter on Kacha berm by coming on extreme wrong side of the road, as a result they both fell down along-with their scooter, while he himself fell on the Katcha portion of the road, Raj Singh deceased fell down on the mettled portion on the road, and the tractor then stopped at a distance of 20 yards. Even the story of covering 20 yards' distance by the tractor is in contrast to the photographs of the scene wherein tractor is standing adjacent to the scooter. Then PW2 has deposed that deceased was taken to PGI, Chandigarh, where he died on same day at about 05.00 p.m. However, the MLR of the deceased, as lying with Judicial file o the criminal case, shows deceased was first brought Civil Iospital, Ambala at 1.00 p.m. and his MLR was prepared at 1.30 p.m. on 22.08.2001. It is also

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noteworthy that the deceased has not died in the PGI, because as per the copy of Roznamcha No. 26 dated 22.08.2001 of PS Ismailabad, a wireless message (VT) was received at 7.15 p.m. in the police station from PP, PGI, Chandigarh regarding the brought dead of deceased Raju at the PGI. Similarly PW2 has stated that driver of the tractor was arrested by the police within two days of the accident. However, it is a matter of fact that accused has surrendered before the police after twelve 'days of the accident. (Photocopies of the MLR and DO No. 26 as discussed above, placed on the record of the claim petition from the criminal case file). Otherwise also the totality of the deposition of PW2 goes grossly contrary to the natural conduct of a man of common prudence put under identical situations. It is highrst improbable that PW2 remained sitting idle at spot for about seven hours after the accident whereas the injured has reached to the Civil Hospital within one hour and police station was within one kilometer range of the place of accident. It seems that said time was consumed in tracing and planting the tractor in question as the offending vehicle.

20. From the above evidence, this tribunal comes to the conclusion that PW2 is not the eye-witness of the case, there is none else on the record of the case who had seen the accident, and that the tractor in question was not actually present at spot at the time deceased has sustained injuries. Thus, the involvement of tractor in question in the present accident seems to be a subsequent plantation. The claimants have, thus, failed in establishing the involvement of offending vehicle and the manner of accident.

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21. In view of findings as above, claimants have failed to prove that deceased Raj Singh had sustained injuries and his death occurred due to accident on account of rash and negligent driving of tractor No. PB12-E-8499 being driven by respondent No.1. Issue No.1 is, thus, decided against the claimants.

6. Hence the claimants/appellants filed the present appeal for grant of compensation.

SUBMISSIONS OF THE LEARNED COUNSELS FOR THE PARTIES

7. Learned counsel for the appellant contends that the only ground for dismissing the claim petition was that the registration number of the offending tractor was not mentioned. Learned counsel for the appellant further contends that since it was a new tractor, therefore, the registration number of the tractor was not mentioned. However, the engine number and chasis number were duly recorded. He further argued that the learned Tribunal has not taken into consideration that the F.I.R was duly registered against the driver of the tractor. However, the F.I.R case was closed, as the driver of the offending vehicle expired.

8. On the other hand learned counsel for the Insurance Company contends that there was contradiction in the statement of PW7 and therefore, the award has rightly been dismissed.

9. I have heard learned counsel for the parties and perused the whole record of this case.

10. A perusal of the record shows that the learned Tribunal has failed to appreciate the evidence on record which apparently proves the factum of accident and negligence of the driver-Balkar Puri (since deceased), who ran away from the spot after the accident.

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11. Reference can be made to statement of PW2-Sahib Singh-eye witness, who in his statement proved the factum of the accident and was cross examined at length but there was no discrepancy found in his statement. This fact has also been noted down in para No. 11 of the impugned award, reproduced above.

12. Reference can further be made to statement of PW3-Dalbir Singh, Sarpanch of the village, who stated that the police had taken the possession of the tractor along with documents in his presence. He also proved the income of the deceased.

13. Constable Upinder Nath while appearing as PW6 in his statement has stated that he has brought the summoned file titled as State vs. Balkar Puri, pertaining to FIR No. 70/01 under Section 279/337/304-A of the Indian Penal Code, 1860 which proves that the FIR was registered against the driver of the offending vehicle namely Balkar Puri (since deceased)

14. Similarly, ASI Jai Prakash (Retd.) in his statement while appearing as PW7 proved the factum of FIR and further stated that it is correct that Engine Number and Chasis Number of the offending vehicle were not mentioned in the ruqa. However, since it was hit and run case, the tractor in question was taken into possession by the police and after that, the engine number and chasis number of the offending vehicle were noted down.

15. Since, in the present case, FIR was duly registered against the driver of the tractor i.e Balkar Puri and the challan was also filed against the driver, the Tribunal has erred in law in dismissing the claim petition of the appellants/claimants. The criminal case was closed against the driver of the offending vehicle on account of his death. Once the driver was facing trial, it was

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sufficient to held that the accident had taken place due to rash and negligent driving of the driver.

16. On the touchstone of hereinabove discussed findings and judicial precedent, the award dated 20.03.2006 passed by learned Tribunal, Ambala, stands vitiated by a complete absence of application of judicial mind.

17. Since Issue No. 2 i.e *“If issue no.1 is proved, to what amount of compensation, the claimants are entitled for and from whom?”* was not decided by the learned Tribunal, therefore, this Court decides as follows:-

(a) A perusal of the record shows that the deceased was running a diary farm and was 20 years of age. However, under the prevailing sets of the present case, his income is to be assessed as Rs.2000/- per month, in accordance with minimum wages, prescribed for unskilled worker.

SETTLED LAW ON COMPENSATION

18. Hon’ble Supreme Court in the case of **Sarla Verma Vs. Delhi Transport Corporation and Another** [(2009) 6 Supreme Court Cases 121], laid down the law on assessment of compensation and the relevant paras of the same are as under:-

“30. 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 standardised deductions. Having a 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

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number of dependent family members is 4 to 6, and one-fifth (1/5th) where the number of dependent family members exceeds six.

31. 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 dependant. In the absence of evidence to the contrary, brothers and sisters will not be considered as dependants, because they will either be independent and earning, or married, or be dependent on the father.

32. Thus even if the deceased is survived by parents and siblings, only d 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 the family of the bachelor is large and dependent 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.

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42. We therefore hold that the multiplier to be used should be as mentioned in Column (4) of the table above (prepared by applying Susamma Thomas³, Trilok Chandra and Charlie), which starts with an operative multiplier of 18 (for the age groups of 15 to 20 and 21 to 25 years), reduced by one unit for every five years, that is M-17 for 26 to 30 years, M-16 for 31 to 35 years, M-15 for 36 to 40 years, M-14 for 41 to 45 years, and M-13 for 46 to 50 years, then reduced by two units for every five years, that is, M-11 for 51 to 55 years, M-9 for 56 to 60 years, M-7 for 61 to 65 years and M-5 for 66 to 70 years.

19. Hon'ble Supreme Court in the case of **National Insurance Company Ltd. Vs. Pranay Sethi & Ors.** [(2017) 16 SCC 680] has clarified the law under Sections 166, 163-A and 168 of the Motor Vehicles Act, 1988, on the following aspects:-

- (A) Deduction of personal and living expenses to determine multiplicand;
- (B) Selection of multiplier depending on age of deceased;
- (C) Age of deceased on basis for applying multiplier;
- (D) Reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses, with escalation;
- (E) Future prospects for all categories of persons and for different ages: with permanent job; self-employed or fixed salary.

The relevant portion of the judgment is reproduced as under:-

“52. As far as the conventional heads are concerned, we find it difficult to agree with the view expressed in Rajesh². It has granted Rs.25,000 towards funeral expenses, Rs 1,00,000

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towards loss of consortium and Rs 1,00,000 towards loss of care and guidance for minor children. The head relating to loss of care and minor children does not exist. Though Rajesh refers to Santosh Devi, it does not seem to follow the same. 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



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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.

* * * * *

59.3. While determining the income, an addition of 50% of actual salary to the income of the deceased towards future prospects, where the deceased had a permanent job and was below the age of 40 years, should be made. The addition should be 30%, if the age of the deceased was between 40 to 50 years. In case the deceased was between the age of 50 to 60 years, the addition should be 15%. Actual salary should be read as actual salary less tax.

59.4. In case the deceased was self-employed (or) on a fixed salary, an addition of 40% of the established income should be the warrant where the deceased was below the age of 40 years. An addition of 25% where the deceased was between the age of 40 to 50 years and 10% where the deceased was between the age of 50 to 60 years should be regarded as the necessary method of computation. The established income means the income minus the tax component.

59.5. For determination of the multiplicand, the deduction for personal and living expenses, the tribunals and the courts shall be guided by paras 30 to 32 of Sarla Verma⁴ which we have reproduced hereinbefore.

59.6. The selection of multiplier shall be as indicated in the Table in Sarla Verma¹ read with para 42 of that judgment.

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59.7. The age of the deceased should be the basis for applying the multiplier.

59.8. 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 aforesaid amounts should be enhanced at the rate of 10% in every three years.”

20. Hon’ble Supreme Court in the case of **Magma General Insurance Company Limited Vs. Nanu Ram alias Chuhru Ram & Others [2018(18) SCC 130]** after considering **Sarla Verma (supra)** and **Pranay Sethi (Supra)** has settled the law regarding consortium. Relevant paras of the same are reproduced as under:-

“21. A Constitution Bench of this Court in Pranay Sethi² dealt with the various heads under which compensation is to be awarded in a death case. One of these heads is loss of consortium. In legal parlance, "consortium" is a compendious term which encompasses "spousal consortium", "parental consortium", and "filial consortium". The right to consortium would include the company, care, help, comfort, guidance, solace and affection of the deceased, which is a loss to his family. With respect to a spouse, it would include sexual relations with the deceased spouse.

*21.1. **Spousal consortium** is generally defined as rights pertaining to the relationship of a husband-wife which allows compensation to the surviving spouse for loss of "company,*



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society, cooperation, affection, and aid of the other in every conjugal relation".

*21.2. **Parental consortium** is granted to the child upon the premature death of a parent, for loss of "parental aid, protection, affection, society, discipline, guidance and training".*

*21.3. **Filial consortium** is the right of the parents to compensation in the case of an accidental death of a child. An accident leading to the death of a child causes great shock and agony to the parents and family of the deceased. The greatest agony for a parent is to lose their child during their lifetime. Children are valued for their love, affection, companionship and their role in the family unit.*

22. Consortium is a special prism reflecting changing norms about the status and worth of actual relationships. Modern jurisdictions world-over have recognised that the value of a child's consortium far exceeds the economic value of the compensation awarded in the case of the death of a child. Most jurisdictions therefore permit parents to be awarded compensation under loss of consortium on the death of a child. The amount awarded to the parents is a compensation for loss of the love, affection, care and companionship of the deceased child.

23. The Motor Vehicles Act is a beneficial legislation aimed at providing relief to the victims or their families, in cases of genuine claims. In case where a parent has lost their minor

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child, or unmarried son or daughter, the parents are entitled to be awarded loss of consortium under the head of filial consortium. Parental consortium is awarded to children who lose their parents in motor vehicle accidents under the Act. A few High Courts have awarded compensation on this count. However, there was no clarity with respect to the principles on which compensation could be awarded on loss of filial consortium.

24. The amount of compensation to be awarded as consortium will be governed by the principles of awarding compensation under "loss of consortium" as laid down in Pranay Sethi². In the present case, we deem it appropriate to award the father and the sister of the deceased, an amount of Rs 40,000 each for loss of filial consortium.

CONCLUSION

21. In view of the law laid down by the Hon’ble Supreme Court in the above referred to judgments, the present appeal is allowed. The award dated 20.03.2006 is hereby set aside. The appellants-claimants are entitled to compensation as per the calculations made here-under:-

Sr. No.	Heads	Compensation Awarded
1	Monthly Income	Rs.2000/-
2	Future prospects @ 40%	Rs.2000+800=Rs.2800/-
3	Deduction towards personal expenditure	Rs.2800 X 1/2= 2800-1400=Rs.1400
4	Multiplier	18
5	Annual Dependency	Rs.1400X12X18=Rs.3,02,400/-
6	Loss of Estate	Rs.18,000/-
7	Funeral Expenses	Rs.18,000/-

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8	Loss of Consortium Filail: Rs.48,000/- x 3	Rs.1,44,000/-
	Total Compensation	Rs.4,82,400/- (rounded off to Rs.4,83,000/-)

22. So far as the interest part is concerned, as held by Hon’ble Supreme Court in **Dara Singh @ Dhara Banjara Vs. Shyam Singh Varma** 2019 ACJ 3176 and **R.Valli and Others VS. Tamil Nadu State Transport Corporation** (2022) 5 Supreme Court Cases 107, the appellant-claimant is granted the interest @ 9% per annum on the compensation amount from the date of filing of claim petition till the date of its realization.
23. The Insurance Company is directed to deposit the amount of compensation along with interest with the Tribunal within a period of two months from today. The Tribunal is further directed to disburse the amount of compensation along with interest in the accounts of the claimants/appellants, as per the ratio settled in the award dated 20.03.2006. The claimants/appellants are directed to furnish the bank account details to the Tribunal.
24. Disposed of accordingly.
25. Pending applications, if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

04.10.2024
G Arora

Whether speaking/non-speaking : Speaking
Whether reportable : Yes