

FAO-2173-2014 (O&M)
DATE OF DECISION : 21.04.2025

SUMITRA DEVI & OTHERS

... APPELLANTS

V/S

JITENDER KUMAR & OTHERS

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Ishan Cooner, Advocate for
Mr. J.S.Cooner, Advocate for the appellants.Mr. Aditya Kochar, Advocate for
Mr. Rajneesh Malhotra, Advocate for respondent No.3.

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PANKAJ JAIN, J. (ORAL)

Claimants have assailed the quantification of the compensation. Jaswant Singh lost his life in a motor vehicular accident dated 08.10.2008 at the age of 50 years leaving behind two children, widow and a mother. The Tribunal assessed the income of the deceased at Rs.16,200/- which was proved before the Tribunal in terms of the salary certificate.

Learned counsel for the appellants submits that deduction of 1/3rd has been wrongly applied to calculate the dependency. The same is modified to 1/4th. Nothing has been paid on account of future prospects. Claimants are also entitled for future prospects @ 30% on the salary of the deceased. Multiplier of 13 has to be awarded in terms of the ratio of law laid down by the Hon'ble Supreme Court of India in the case of **Sarla Verma**

Vs. D.T.C. (2009) 3 RCR (Civil)77. Each of the claimants are entitled for an amount of Rs. 48,000/- on account of loss of consortium. Claimants are also entitled for an amount of Rs. 18,000/- for 'loss of estate' and Rs.18,000/- for 'funeral expenses'.

With the aforesaid modification, the appeal is disposed of.

21.04.2025

Janki

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No