



2026:DHC:805



\$~32

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

%

Date of decision: 30th January 2026+ **MAC.APP. 5/2026**

REKHA DEVI & ANR.

.....Appellants

Through: Ms. Sakshi Singh, Mr. Tushar Batra
and Mr. Dilip Kumar, Advs.

versus

BECHAN YADAV & ORS.

.....Respondents

Through: Mr. Attin Shankar Rastogi and Ms.
Jigyasa Parashar, Advs.**CORAM:****HON'BLE MR. JUSTICE ANISH DAYAL****JUDGMENT****ANISH DAYAL, J: (ORAL)**

1. This appeal has been filed assailing the award dated 25th October 2025 passed by Motor Accidents Claims Tribunal [**MACT**], South-West District, Dwarka Courts in **MACT No.733/2023** seeking enhancement of compensation awarded as Rs. 13,50,260/- at an interest of 7.5% p.a.
2. The incident relates to an accident which occurred on 13th July 2018, wherein one *Kunal Ram*/deceased, aged ten years, while riding a bicycle along with his younger brother in *Madhepura, Bihar*, was hit by a tractor coming from the wrong side. The deceased was rushed to Primary Health Centre, *Singheshwar* by villagers but was declared 'brought dead' and



2026:DHC:805



postmortem report of deceased was prepared recording cause of death as -
‘CR failure due to neurogenic shock as a result of trauma (injuries) caused by hard, blunt & heavy substance.’

3. On 07th January 2026, this Court had recorded the broad submissions of parties in this case. Time had been granted to counsel for respondent no.3/Insurance Company to revert on the submissions made regarding issue of multiplier for victims below the age of 15 years of age.

4. As regards this issue, factor of ‘18’ has been adopted by the Coordinate Bench of this Court in *National Insurance Co. Ltd. v. Sanju & Ors.* in *MAC.APP.30/2025* and other connected appeals [*MAC.APP.39/2025*, *MAC.APP.40/2025*, *MAC.APP.751/2025* and *MAC.APP.80/2025*] where earlier decisions of *Kajal v. Jagdish Chand* (2020) 4 SCC 413, *Master Ayush v. Branch Manager, Reliance General Insurance Co. Ltd.* (2022) 7 SCC 738, *Baby Sakshi Greola v. Manzoor Ahmad Simon* 2024 SCC OnLine SC 3692, *Karuna Parmar v. Prakash Sinha* 2025 INSC 1244 have been referred and assessed in detail.

5. Further, reliance has been placed upon decisions by this Court in *National Insurance Co. Ltd. v. Pooja* 2025 SCC OnLine Del 1044, *Rakesh Sharma v. Ashok* 2025 SCC OnLine Del 1364 and *Cholamandalam MS General Insurance Co. Ltd. v. Bhupan Paswan* 2025 SCC OnLine Del 1045, wherein a multiplier of 18 was adopted after considering the decisions of the Supreme Court.

6. The relevant observations made by this Court in *Sanju* (*supra*) are extracted as under:

“26. In my view, the argument, at least before this Court,



is foreclosed by the judgments in Pooja, Rakesh Sharma, and Bhupan Paswan, where the multiplier 18 has been adopted after considering the judgments in Sarla Verma, Kajal, Master Ayush, and Sakshi Greola. The discussion on this aspect in Bhupan Paswan reads as follows:

“31. The learned Tribunal has computed the compensation by applying a multiplier of 15, by considering the age of the deceased.

32. The calculation of Multiplier has been laid down in the case of Sarla Varma (Supra) as under:-

“21. We therefore hold that the multiplier to be used should be as mentioned in column (4) of the Table above (prepared by applying Susamma Thomas, 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.”

33. Evidently, the Judgment is silent on the multiplier to be used for the victims under 15 years of age. This incongruity in the matter of selection of multiplier in the case of persons in the age group up to 15 years was noted in by the Apex the case of Divya vs. National Insurance Company Ltd., Civil Appeal No. 7605/2022.

34. In the most recent judgment of the Supreme Court in Baby Sakshi Greola vs. Manzoor Ahmad Simon & Anr., SLP (C) No. 10996/2018, while referring to the judgments of Kajal (supra)



and Master Ayush (supra), the Apex Court has applied the multiplier of 18 for a minor.

35. Thus, in light of the above judgments, this Court deems it appropriate to ascertain the Multiplier as '18' to calculate the loss of dependency is calculated accordingly."

As noted above, the Supreme Court declined special leave to appeal against this judgment.

27. Having regard to the binding judgment of the Coordinate Bench, which considers Sarla Verma, I am of the view that the applicable multiplier in such cases would be 18."

(emphasis added)

7. Taking a similar view, this Court in ***Tata AIG General Insurance Company v. Mukesh Kumar & Ors.*** 2026:DHC:756, while dealing with an appeal filed by the Insurance Company on the ground that the Tribunal while assessing loss of dependency in case of death of a minor child had erred by taking the multiplier of 18, instead of 15, dismissed the said appeal and held as under:

"22.6 Analysing all these decisions, this Court in Sanju (supra) held the view, as extracted above in paragraph 14, that the applicable multiplier would be 18 and that minimum wages of a skilled worker of the concerned State would be applicable.

23. In view of the above discussion, contention of appellant cannot be accepted."

(emphasis added)

8. Accordingly, the multiplier of 18 will be effected and award shall be recomputed as under:



2026:DHC:805



S. No.	Heads	Awarded by the Tribunal	Awarded by this Court
1	Income of deceased (A)	Rs. 9,660 (Monthly)	Rs. 9,660 (monthly)
2	Add Future Prospects (B) @ 40%	Rs. 3,864/- (Monthly)	Rs. 3,864/- (Monthly)
3	Less Personal expenses of the deceased (C) @ 50%	Rs. 6,762/- (Monthly)	Rs. 6,762/- (Monthly)
4	Monthly loss of dependency [(A +B)-C = D]	Rs. 6,762/-	Rs. 6,762/-
5	Annual loss of dependency (Dx12)	Rs. 81,144/-	Rs. 81,144/-
6	Multiplier (E)	15	18
7	Total loss of dependency (Dx12xE = F)	Rs. 12,17,160/-	Rs. 14,60,592
8	Medical expenses (G)	Nil	Nil
9	Compensation for loss of consortium (H) (48,400x2)	Rs. 96,800/-	Rs. 96,800/-
10	Compensation for loss of love and affection (I)	Nil	Nil
11	Compensation for loss of estate (J)	Rs. 18,150/-	Rs. 18,150/-
12	Compensation towards funeral expenses (K)	Rs. 18,150/-	Rs. 18,150/-
13	Total compensation (F+G+H+I+J+K = L)	Rs. 13,50,260	Rs. 15,93,692/-
14	Rate of Interest Awarded	7.5%	7.5%
15	Enhanced Compensation	Rs. 2,43,432	

9. Accordingly, the appeal stands disposed of in the above terms.

10. Pending applications, if any, are also disposed of.

11. Enhanced compensation amount, as computed above, along with proportionate interest, shall be deposited before the MACT within 4 weeks. Directions regarding release of enhanced amount shall be given by MACT.



2026:DHC:805



12. List before MACT on 23rd February, 2026.
13. Copy of this judgment be sent to the concerned MACT.
14. Statutory deposit, if any, be refunded to appellant.
15. Judgment be uploaded on the website of this Court.

ANISH DAYAL, J

JANUARY 30, 2026/mk/sp