



* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Judgment Reserved on: 10.03.2026

Judgment Delivered on: 29.05.2026

+ LPA 487/2025

PRAVESH KUMAR & ANR.

.....Appellants

Versus

DELHI JAL BOARD & ORS.

.....Respondents

Advocates who appeared in this case

For the Appellants : Ms. Aruna Mehta and Mr. Lakshay Mehta, Advocates.

For the Respondents : Mr. Tushar Sannu and Mr. Parvin Bansal, Advocates for DJB.
Dr. Monika Arora, CGSC with Mr. Subhrodeep Saha, Ms. Anamika Thakur, Mr. P. Kumar and Mr. Abhinav Verma, Advocates for R-2.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

JUDGMENT

TEJAS KARIA, J

FACTUAL MATRIX

1. The present Appeal arises from the Judgment dated 18.11.2024 (“**Impugned Judgment**”) rendered in Writ Petition (Civil) No. 10651/2016 (“**Writ Petition**”), instituted by the Appellants under Article 226 of the



Constitution of India, 1950 (“**Constitution**”). By way of the Writ Petition, the Appellants sought compensation in the sum of ₹30,00,000/- together with interest on account of the tragic death of their 9-year-old son, Master Justin/Joy, who is stated to have fallen into a pit situated on a vacant plot in the possession of Respondent No. 1 (“**Vacant Land**”) and died as a consequence of the alleged negligence of Respondent No. 1.

2. By the Impugned Judgment, the learned Single Judge directed Respondent No. 1 to pay a lump sum compensation of ₹22,00,000/- together with simple interest at the rate of 6% per annum from 20.07.2016, *i.e.*, the date of the incident, until the date of realisation, to the Appellants on account of the death of their son (“**Deceased-Child**”).

SUBMISSIONS ON BEHALF OF THE APPELLANTS:

3. The learned Counsel for the Appellants made the following submissions:

3.1 The Vacant Land had broken boundary walls and contained an uncovered pit, which was neither barricaded nor otherwise secured. Children residing in the locality were accustomed to playing on the Vacant Land. During the rainy season, the Vacant Land used to become inundated with rainwater.

3.2 On 20.07.2016, at about 06:00 to 06:30 PM, the Deceased-Child, while chasing a kite that had drifted towards the Vacant Land, is stated to have slipped into the pit situated therein. Appellant No. 2 returned home at about 06:00 PM after imparting tuition classes and waited for the Deceased-Child; however, he did not return. Appellant No. 2 thereupon searched for the Deceased-Child in the



locality, but he could not be traced. At about 08:00 to 08:30 PM, Appellant No. 2 informed Appellant No. 1, who, along with the neighbours, commenced a search for the Deceased-Child. One of the children informed them that he had seen the Deceased-Child proceeding towards the Vacant Land. Thereafter, they went to the Vacant Land and found a pit filled with water. As it was the rainy season, one of the neighbours dived into the pit and retrieved the Deceased-Child, who was immediately taken to Aruna Asaf Ali Hospital, where he was declared brought dead.

3.3 Thereafter, Appellant No. 1 caused an FIR to be registered against the unknown officials of Respondent No. 1, who had allegedly dug the pit on the Vacant Land but had neither barricaded the same nor deployed any guard to maintain vigilance over the area. The Deceased-Child is stated to have lost his life due to the negligence of the officials of Respondent No. 1. The *post mortem* examination of the Deceased-Child revealed the presence of dirty water in his chest, and the cause of death was opined to be *ante-mortem* drowning.

3.4 At the relevant time, Appellant No. 1, the father of the Deceased-Child, was employed as a Supervisor at Sun City Restaurant, Delhi, and was earning a salary of ₹20,000/- per month. Appellant No. 2, the mother of the Deceased-Child, is employed as an Assistant Teacher at St. Mother Teresa Public School, Burari, Delhi, and is earning a salary of ₹17,000/- per month. At the time of his death, the Deceased-Child was studying in the 4th standard at



St. Teresa School, Sant Nagar, Delhi, was stated to be academically bright, and had secured a CGPA of 9.5 in the 3rd standard.

- 3.5 The learned Single Judge, *vide* the Impugned Judgment, while taking Appellant No. 1's monthly salary as the assumed monthly income of the Deceased-Child and relying upon ***Sh. Kishan Lal and Ors. v. Govt. of NCT of Delhi***, Neutral Citation: 2007:DHC:692, and ***Smt. Kamla Devi v. Government of NCT of Delhi and Anr.***, 2004 SCC OnLine Del 721, awarded compensation in the sum of ₹22,00,000/- together with simple interest at the rate of 6% per annum from 20.07.2016, *i.e.*, the date of the incident, until the date of realisation.
- 3.6 It is the grievance of the Appellants, however, that the learned Single Judge failed to take into account that the assumed income of the Deceased-Child would necessarily increase over time on account of inflation and the erosion in the value of money, and consequently computed the compensation without considering future prospects.
- 3.7 The learned Single Judge ought to have awarded compensation of at least ₹30,78,947/- together with interest at the rate of 9% per annum from the date of filing of the Writ Petition, in accordance with the principle laid down by the Division Bench of this Court in ***Laxmi Narayan and Anr. v. Government of NCT of Delhi***, Neutral Citation: 2019:DHC:1454-DB, as well as ***Rajeev Singhal and Anr. v. MCD (East Delhi Municipal Corporation) and Anr.***,



Neutral Citation: 2018:DHC:6263-DB, wherein future prospects were taken into account while determining the presumed income of the child. It is contended that if the formula set out in **Laxmi Narayan** (*supra*) and **Rajeev Singhal** (*supra*) for cases involving the death of children of tender age is applied, the compensation would be computed under two heads:

- i. Standard compensation; and
- ii. Pecuniary damages

3.8 The standard compensation as observed in **Kamla Devi** (*supra*) was stated to be ₹50,000/- in the year 1989. **Kamla Devi** (*supra*) further observed that the said sum of ₹50,000/- would require to be adjusted with reference to the date of death of the deceased based on the basis of Consumer Price Index for Industrial Workers (“CPI-IW”) published by the Labour Bureau of Government of India with respect to base year 1982=100. The average CPI-IW for the year 1989 was 171, whereas the CPI-IW for July 2016 was 1296. Accordingly, the inflation corrected value worked out to ₹3,78,947/- i.e., ₹50,000 x 1296/171 in July 2016. Thus, standard compensation comes to ₹3,78,947/-.

3.9 In the instant case the Deceased-Child was 9-year-old and his father i.e., Appellant No. 1 was earning ₹20,000/- per month. Accordingly, for the purposes of computation of pecuniary loss of dependency, the income of Appellant No. 1 was taken as the income of the Deceased-Child:

$$₹20,000/- \times 1.5 = ₹30,000/-$$



Deducting 50% as personal expenses being unmarried = ₹15,000/- per month

₹15000/- x 12 x 15 = ₹27,00,000/-

- 3.10 Thus, the compensation under the pecuniary head works out to ₹27,00,000/-, and the standard compensation works out to ₹3,78,947/-, thereby taking the total compensation in the present case to ₹30,78,947/-. Accordingly, the Appellants are entitled to compensation in the sum of ₹30,78,947/- together with interest at the rate of 9% per annum from the date of filing of the Writ Petition until the date of realisation.
- 3.11 There are several decisions of the Division Bench of this Court, including *Laxmi Narayan* (*supra*), *Rajeev Singhal* (*supra*), *Sharafat Khan and Another v. Northern Railway and Another*, Neutral Citation: 2023:DHC:4108-DB, and *Varinder Prasad v. B.S.E.S. Rajdhani Power Ltd. and Others*, 190 (2012) DLT 293, wherein compensation was awarded after taking into account the future increase in the income of the deceased by applying the multiplicand factor of 1.5 so as to offset the effects of inflation and erosion in the value of money.
- 3.12 The learned Single Judge failed to appreciate that where fundamental rights are violated by the acts or omissions of State functionaries, the Court is duty-bound, in the exercise of its public law jurisdiction, to award just compensation so as to ensure that citizens live under a legal regime in which their rights and interests are duly protected and preserved.



3.13 Accordingly, it is prayed that this Court may be pleased to enhance the compensation awarded under the Impugned Judgment and to modify the rate of interest from 6% to 9% per annum.

SUBMISSIONS ON BEHALF OF THE RESPONDENTS

4. The learned Counsel for Respondent No. 1 made the following submissions:

- 4.1. The learned Single Judge computed the compensation on the basis of the averment made in the Writ Petition that Appellant No. 1 was earning ₹20,000/- per month and, accordingly, proceeded on the footing of the salary claimed by Appellant No. 1. The Appellants failed to place on record any salary slip, Income Tax Return, or certificate in support of the said monthly income of ₹20,000/-. In contrast, documentary proof was placed on record only in respect of the income of Appellant No. 2, namely, a school certificate evidencing that she was earning ₹17,000/- per month.
- 4.2. In ***Sharafat Khan*** (*supra*), the Division Bench of this Court, while directing payment “*along with simple interest @ 6% from date of filing of writ petition*”, was dealing with the case of a 12-year-old child, where the certainty of academic achievement and future career prospects was relatively more crystallised. The Court in the said case adopted a lower base income, namely ₹15,000/- and, thereafter, applied a factor of 1.5 towards future prospects.
- 4.3. On the aforesaid basis, it is contended that the Appellants cannot rely upon ***Sharafat Khan*** (*supra*) to seek enhancement of the rate of interest to 9% per annum, when the said decision itself awarded



interest only at the rate of 6% per annum. The addition of 50% towards “*future prospects*” is speculative in the case of a child aged 9 years. The Impugned Judgment already adopts a rational approach by taking the salary of Appellant No. 1, namely ₹20,000/- per month, instead of minimum wages, as the basis for computing compensation. Granting an additional 50% towards “*future prospects*” over and above the said established income, for the purposes of computation in the case of a 9-year-old child, would, according to Respondent No. 1, result in “*unjust enrichment*” rather than “*just compensation*”.

- 4.4. The Impugned Judgment accepted the higher base income of Appellant No. 1 without making any deduction towards tax or uncertainties, while refraining from adding the speculative component of 50% towards future increase. According to Respondent No. 1, if ***Sharafat Khan*** (*supra*) were to be applied strictly, the Court may have to consider minimum wages or a lower base income. The Appellants seek to retain the higher actual salary of ₹20,000/- per month, as accepted by the learned Single Judge, and in addition apply the factor of 1.5 adopted in ***Sharafat Khan*** (*supra*), thereby claiming a double benefit which, according to Respondent No. 1, is unsupported in law.
- 4.5. The Appellants also place reliance upon ***Kamla Devi*** (*supra*) to seek enhancement of compensation. However, ***Kamla Devi*** (*supra*) is factually distinguishable from the present case. In ***Kamla Devi*** (*supra*), the deceased was a 29-year-old earning adult with an



established income, and the Court was, therefore, in a position to assess the actual loss of dependency, the deceased being the breadwinner of the family. The principles governing computation of pecuniary loss of dependency in the case of an adult earning member cannot be mechanically applied to the case of a child, who was a non-earning member and in whose case the element of dependency is necessarily prospective and speculative.

- 4.6. Accordingly, the strict multiplier method involving future prospects, as applied in the case of earning adults in ***Kamla Devi*** (*supra*), cannot, according to Respondent No. 1, be treated as the governing standard in cases concerning the death of children. It is in this context that reliance is placed upon the observations made by this Court in ***Kishan Lal*** (*supra*):

“Calculating the compensation for pecuniary loss of dependency, is somewhat more complicated. Whereas Kamla Devi (supra) involved an earning adult whose death had an immediate financial impact on his family, the present petition involves the death of a small child who was not contributing to the household income and who would have been unable to do so for many more years. A somewhat different approach would be needed.”

- 4.7. This Court in ***Kishan Lal*** (*supra*) adopted the propositions laid out in ***M.S. Grewal v. Deep Chand Sood***, (2001) 8 SCC 151, wherein the Supreme Court observed that, in the case of children, the Court must estimate the ‘*potential earning capacity*’ based on the parents’ status and the school attended by the child. The learned Single Judge correctly followed this mandate by taking into consideration the father’s income to assess the future prospects of



the child, instead of mechanically applying the formula applicable to earning adults from ***Kamla Devi*** (*supra*). The award of interest at the rate of 6% by the learned Single Judge is also consistent with the Supreme Court's direction in ***M.S. Grewal*** (*supra*). The Appellants' claim for enhancement of interest to 9% is, therefore, contrary to the precedents governing cases involving death of school-going children.

ANALYSIS AND FINDINGS

5. We have heard the learned Counsel for the Parties and perused the material placed on record.

6. The present Appeal is confined to the limited question of whether the compensation awarded under the Impugned Judgment warrants enhancement and whether the rate of interest granted therein calls for modification.

7. The learned Single Judge, upon consideration of the material placed on record, observed that it was the primary responsibility of Respondent No. 1 to maintain safe conditions and to take due precautions in and around the Vacant Land, which obligation Respondent No. 1 had failed to discharge. Accordingly, compensation in the sum of ₹22,00,000/- was awarded to the Appellants together with simple interest at the rate of 6% per annum from the date of the incident, *i.e.*, 20.07.2016, until the date of realisation.

8. While assessing compensation under the pecuniary head, the learned Single Judge accepted the income of Appellant No. 1 at ₹20,000/- per month, as asserted in the rejoinder affidavit filed in the Writ Petition, as the basis for estimating the future earning capacity of the Deceased-Child. The



relevant observations of the learned Single Judge are reproduced below:

*“In **Kishan Lal**, while the Court relied upon **Kamla Devi** to calculate the standard compensation, it also opined that there is a need to adopt a different approach while calculating the pecuniary losses. It was observed that the Court in **Kamla Devi** was adjudicating a prayer for compensation involving an earning adult whose death had an immediate financial impact on his family, whereas, in contrast, the prayer for compensation in **Kishan Lal** concerns the death of a small child who was not contributing to the household income. Consequently, the Court, relying on the principles laid down in **M.S. Grewal v Deep Chand Sood & Ors** evolved the following methodology for calculating compensation for the death of a minor, which reads as under:-*

“31. Calculating the compensation for pecuniary loss of dependency is somewhat more complicated, Whereas Kamla Devi (supra) involved an earning adult whose death had an immediate financial impact on his family, the present petition involves the death of a small child who was not contributing to the household income and who would have been unable to do so for many more years. A somewhat different approach would be needed.

32. In Smt Kumari v State of Tamil Nadu & Others: 1992 ACJ 283, the six-year old son of the appellant died as a result of falling in an open manhole. The appellant filed a petition under Article 226 of the Constitution seeking a writ of mandamus directing the respondents to pay Rs.50,000/- as compensation. The Madras High Court dismissed the writ petition on the ground that in a writ petition it was not possible to determine which respondent was negligent in leaving the sewerage tank uncovered. The Supreme Court set aside the judgment of the High Court and awarded the appellant the sum of Rs.50,000 with interest at 12% per annum from the date of the accident until the date of payment. The Supreme Court further held that the State of Tamil Nadu may take appropriate proceedings to claim the said amount from any of the respondents who might have been responsible for leaving the manhole uncovered. Thus, one method of calculating the compensation of pecuniary loss of dependency is to bring the above compensation given in Kumari (supra) up to date based on India's inflation rate



between 1992, when the case was decided, and 2005, when Puran died, and to subtract from it what the standard compensation would have been in 1992.

33. However, the approach in *M.S. Grewal* (supra) appears to be the better and more rational approach. In *M.S. Grewal* (supra) fourteen children drowned in a river during a school picnic as a result of the school's negligence. The Supreme Court awarded Rs.5 lakhs to each family, partly on the basis that the school was one of the most affluent in the country and the deceased children's earning potential was significant. Therefore, the method of calculating the compensation for pecuniary loss of dependency entails the examination of Puran's potential earning capacity had he lived to adulthood. The petitioner No.1, Puran's father, was working in a market as a Security Guard and was earning approximately Rs 4,000/- per month. The late Puran, who was in the 3rd Standard, when he passed away, was an excellent student. **In the previous academic year, he was ranked First in his class. Therefore, we can safely assume that Puran as an adult would have earned at least as much as his father, if not more. So, as evidenced by his academic skills, Puran's father's salary can be used as a starting base for calculating the compensation for pecuniary loss of dependency. The multiplicand would be the expected annual income less what he required for himself. Since, this expected income would only arise when Puran grew up to be an adult, it would be safe to assume that his personal expenditure would be higher. True, he would be contributing to the household, but his contribution in my view would definitely not exceed half of his income. It must be remembered that here we are concerned with compensation for pecuniary loss of depending of Puran's parents. For some stretch of time Puran's father would be earning and his dependency would not be much. Furthermore, Puran would have married and would have had to support his wife and children. So, the assumption that, in the maximum, Puran's parents would have lost only half of Puran's expected annual. income, would not, be an unreasonable one. Thus, the multiplicand would work out to Rs.24,000/- ($4000 \times 12 \times 1/2$). The multiplicand and is to be multiplied by the multiplier of 15 as derived from the Second Schedule to the**



Motor Vehicles Act, 1988 in respect of victim in the age group of upto 15 years. Therefore, Puran's parents would be entitled to a sum of Rs.3,60,000/- (24000x15) for compensation for pecuniary loss of dependency.

34. Accordingly, the petitioners are entitled to a total compensation of Rs.5,13,801/-. The standard compensation or conventional sum being Rs. 1,53,801/- and the compensation for pecuniary loss of dependency being an amount of Rs.3,60,000/- as computed above.”

(emphasis supplied)

Therefore, adhering to the same principle as laid down in **Kishan Lal**, the multiplicand can be calculated by considering the father's monthly salary as the assumed monthly income of the deceased. This amount is multiplied by 12 to arrive at the annual income and then halved. Subsequently, this multiplicand amount is multiplied by the appropriate multiplier as prescribed. In the instant case, the monthly salary of the father, as indicated in the rejoinder affidavit filed by the petitioners, is approximately Rs. 20,000. Consequently, the annual income would be Rs. 2,40,000, and the annual loss of dependency is calculated accordingly, as under: -

$(2,40,000/2)$ (multiplicand) $\times$ 15 (multiplier) = Rs. 18,00,000/-

The total compensation is, thus, computed to be:

18,00,000 (pecuniary loss of dependency) + 3,78,947 (standard compensation) = Rs. 21,78,947/-”

9. It is the case of the Appellants that the income of Appellant No. 1, i.e., ₹20,000/- per month, ought to have been multiplied by a factor of 1.5 in terms of **Sharafat Khan** (supra), **Laxmi Narayan** (supra) and **Rajeev Singhal** (supra) to offset the effects of inflation and erosion in the value of money. The Appellants contend that upon applying the factor of 1.5, the monthly income would work out to ₹30,000/- and, after deducting 50% towards personal expenses and applying the multiplier of 15, the compensation under the pecuniary head would come to ₹27,00,000/-. It is further the case of the Appellants that, upon addition of the standard compensation of ₹3,78,947/-, the total compensation would aggregate to



₹30,78,947/- and, accordingly, the Appellants would be entitled to enhancement of compensation together with modification of the rate of interest from 6% to 9% per annum.

10. *Per contra*, it is the case of Respondent No. 1 that the learned Single Judge adopted a just and reasonable approach while computing the compensation by taking the income of Appellant No. 1 at ₹20,000/- per month, instead of minimum wages or a lower notional income. It is submitted that the learned Single Judge, while relying upon **Kishan Lal** (*supra*) and **M.S. Grewal** (*supra*), correctly assessed the future earning capacity of the Deceased-Child by treating the income of Appellant No. 1 as the base income and thereafter computing the annual income at ₹2,40,000/-. It is further the case of Respondent No. 1 that, after deducting 50% towards personal expenses and applying the multiplier of 15, the Impugned Judgment correctly quantified compensation under the pecuniary head at ₹18,00,000/- and, upon addition of the standard compensation of ₹3,78,947/-, rightly awarded a total compensation of ₹22,00,000/-.

11. We find that there is merit in the submission advanced on behalf of the Appellants that, while computing the pecuniary compensation payable to them, the effects of inflation and erosion in the value of money ought to have been duly considered.

12. The learned Single Judge, while computing compensation, accepted the income of Appellant No. 1 at ₹20,000/- per month as the basis for assessing the future earning capacity of the Deceased-Child and thereafter deducted 50% towards personal expenses and applied the multiplier of 15. However, the factor of 1.5 to offset inflation and devaluation of money was



not taken into consideration, which has consistently been recognised by this Court while awarding compensation, including in cases involving the death of children of tender age.

13. In **Laxmi Narayan** (*supra*), the Division Bench of this Court observed that the two components of total compensation are to be quantified as follows:

“1. Pecuniary Compensation:

A	<i>Notional average annual income of deceased (Of the deceased, or of the parent, if minor)</i>
B	<i>Deduction (By a factor, on account of decreasing contribution to family income)</i>
C	<i>Multiplier Factor (In terms of judgement of Supreme Court in National Indsurance Co. Vs Pranay Sethi, (2017) 16 SCC 680)</i>
D	<i>Multiplier to counter inflationary aspects</i>

Formula: ((A – B) X C X D)

2. Standard Compensation:

Formula: (50,000 X CPI (IW) Index for the concerned month (with base year 1982)) / 171 (“171” being the Index Number in 1989) (May also use CPI(IW) Index number with base year 2001 and multiply the same with linking factor 4.63 to arrive at relevant index number with 1982 base)”

14. In **Laxmi Narayan** (*supra*), this Court applied a multiplier of 1.5 so as to account for inflationary adjustments.

15. In **Rajeev Singhal** (*supra*) this Court observed as under:

“28. We find that in the present case both the appellants herein, namely, the father and the mother are earning. As per income tax returns of the appellants which are available on record, the average annual income of the appellant No.1 (father) based on the income tax returns for the three assessment years 2010-2011 to 2012-2013 indicates that his annual average income would come to Rs.2,22,741.66. Similarly, based on the assessment of the income tax



returns of the aforesaid three assessment years, the annual average income of the appellant No.2 (mother) would come to Rs.2,03,471.66. It has been held in both these cases that the annual income of the parents can be taken into consideration for assessing the annual income of a child. If that be so, we find that the total annual income of parents comes to Rs.4,26,213.32 and if this is divided by 2, we can safely conclude that the annual income of the deceased child can be assessed at Rs.2,13,106.66. As per the formula laid down for calculating the pecuniary loss, a multiplier of 15 can be applied, considering the fact that the victim was 14 years of age. In the case of Varinder Prasad (supra), it was noted that as the deceased "would have grown up, his personal expenses would have only risen. The contribution to the household would not have exceeded half of the income." Accordingly, the total annual income of the victim as indicated hereinabove, i.e. Rs.2,13,106.66, has to be divided by 2 to arrive at the same and thereafter it has to be multiplied with a factor namely 1.5 to counter inflation and erosion of the value of money and by multiplying it with 15 in terms of the multiplier provided in the second schedule of the Motor Vehicles Act, the pecuniary compensation works out to Rs.23,97,449.92."

[Emphasis Supplied]

16. Similar approach has been adopted in **Sharafat Khan** (supra) wherein it was observed that:

15. The compensation under the head of pecuniary loss caused to the appellants is calculated on the principle of loss of earnings and can be assessed on basis of the method discussed in Kamla Devi, Varinder Prasad etc. As observed in Varinder Prasad, on the basis of Kamla Devi, i) for assessment of the pecuniary loss of dependency, the income of parents can be taken as a standard measure for arriving at the expected annual income of the children and ii) the method of calculating the compensation for pecuniary loss of dependency depends upon the potential earning capacity of the deceased, had she/he attained adulthood. The appellant no.1, who is father of the deceased, was stated to be earning Rs.700-800 per day on the day of incident, by plying a battery-operated rickshaw and after deducting his expenses, the net monthly income of the appellant no.1 could be assessed at Rs.15,000/- . The appellant no.2, who is mother of the deceased, had no earnings. The



deceased was aged about 12 years at the time of his death. The income of the appellant no.1 for calculating the compensation would be taken as income of the child i.e. the deceased. It is presumed that the deceased would have earned at least what the appellant no.1 was earning. Accordingly, the multiplicand would be the expected annual income of the deceased less what he needed for himself. It would be appropriate after considering future increase in income of the appellant no.1, to apply and adopt the multiplicand factor of 1.5 to set off the effects of inflation and erosion of the value of the money....”

[Emphasis Supplied]

17. Accordingly, the annual income determined for the purposes of assessing pecuniary compensation is liable to be multiplied by a factor of 1.5 so as to offset inflation and erosion in the value of money. The said principle has been evolved to ensure that the compensation awarded remains just, fair, and realistic, having due regard to the impact of inflation and the diminishing value of money.

18. In the present case as well, once the monthly salary of Appellant No. 1 was taken as the assumed monthly income of the Deceased-Child, the factor of 1.5, as recognised in **Laxmi Narayan** (*supra*), **Rajeev Singhal** (*supra*), and **Sharafat Khan** (*supra*), would equally apply for the purpose of offsetting inflation and devaluation of money. The contention advanced on behalf of Respondent No. 1 that application of the factor of 1.5 would amount to conferring a double benefit cannot be accepted, inasmuch as the said factor is applied solely as a measure to neutralise inflationary effects and erosion in the value of money while determining just compensation in accordance with settled law.

19. In view of the above, the compensation payable to the Appellants under the pecuniary head is liable to be recomputed by taking the monthly



income of Appellant No. 1 at ₹20,000/- and, thereafter, applying the factor of 1.5. The adjusted monthly income thus works out to ₹30,000/-. Upon deducting 50% towards personal expenses, the monthly contribution is assessed at ₹15,000/-. Applying the multiplier of 15, the compensation payable under the pecuniary head is quantified at ₹27,00,000/- and adding the standard compensation in the sum of ₹3,78,947/- to the pecuniary compensation, the total compensation payable to the Appellants stands re-assessed at ₹30,78,947/-.

20. Insofar as the rate of interest is concerned, we do not find any ground warranting interference with the rate of 6% per annum awarded by the learned Single Judge, the same being consistent with the rate of interest awarded in similar cases. Accordingly, the enhanced compensation of ₹30,78,947/- shall carry simple interest at the rate of 6% per annum from the date of the incident, *i.e.*, 20.07.2016, until the date of realisation.

21. Consequently, the present Appeal stands partially allowed and the Impugned Judgment is modified in the aforesaid terms.

TEJAS KARIA, J

DEVENDRA KUMAR UPADHYAYA, CJ

MAY 29, 2026

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