

(2018) 04 P&H CK 0021

High Court Of Punjab And Haryana At Chandigarh

Case No: RA 65 CII of 2018 in FAO 7974 of 2017

Mohan Lal

APPELLANT

Vs

Vidya Devi and others

RESPONDENT

Date of Decision: April 3, 2018

Hon'ble Judges: Rekha Mittal, J

Bench: Single Bench

Judgement

REKHA MITTAL, J. (Oral)

Prayer in this application filed by applicants/respondents No. 1 to 3 is for review of judgment/order dated 12.01.2018 passed by this Court in FAO

No. 7974 of 2017 whereby compensation has been reduced from Rs.21,65,000.00 to Rs.14,58,000.00.

Counsel for the applicants/respondents No. 1 to 3 would urge that as the deceased was 25 years, 3 months and 17 days old, admissible multiplier

should be 18 in place of 17 in the light of judgment of Hon'ble the Supreme Court in Sarla Verma and others vs. Delhi Transport Corporation and

another 2009(3) R.C.R. (Civil) 77. Another submission made by counsel is that the Tribunal has allowed deduction for personal expenses to the

extent of 50% but the same should of 1/3rd as application for compensation was filed by the parents and younger brother of the deceased.

Perusal of judgment dated 12.01.2018 passed by this Court would reveal that this Court has not touched these two issues either with regard to

allowing multiplier of 17 by the Tribunal or deduction for personal expenses to the extent of 50% as the deceased was unmarried son of claimants

Vidya Devi and Om Parkash and elder brother of Sunil Kumar-claimant No. 3. In the given scenario, the present application stands disposed of

but without prejudice to right of the applicants/respondents No. 1 to 3 to take recourse to appropriate remedy seeking enhancement of compensation, in accordance with law.