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

% **Date of Decision: 16<sup>th</sup> January, 2017**

+ **MAC.APP. 373/2014**

**RELIANCE GENERAL INSURANCE CO. LTD..... Appellant**

**Through: Mr. Rajeev M. Roy, Adv.**

**versus**

**SHILPA SHARMA & ORS. .... Respondents**

**Through: Mr. Sunil Kumar Verma, Adv.  
for R-1 to R-3.**

**CORAM:**

**HON'BLE MR. JUSTICE J.R. MIDHA**

**JUDGMENT (ORAL)**

1. The appellant has challenged the award of the Claims Tribunal whereby compensation of Rs.39,79,000/- has been awarded to claimants/respondents no.1 to 3.

2. The accident dated 15<sup>th</sup> June, 2013 resulted in the death of Vipin Sharma. The deceased was aged 30 years at the time of the accident and was survived by his widow, minor son and mother who filed the claim petition before the Claims Tribunal. The deceased was working as a team leader with Ahuja Vegetable Store in INA Market, New Delhi earning Rs.20,300/- per month which was duly proved by his employer PW-2. The Claims Tribunal took the income of the deceased as Rs.19,500/- per month, added 50% towards future prospects, deducted 1/3<sup>rd</sup> towards his personal expenses and applied the multiplier of 16 to compute the loss of dependency as Rs.37,44,000/-. The Claims Tribunal awarded Rs.1 lakh towards loss of consortium, Rs.1 lakh towards love and affection, Rs.25,000/- towards funeral expenses and Rs.10,000/- towards loss of estate.

Total compensation awarded is Rs.39,79,000/-.

3. Learned counsel for the appellant urged at the time of the hearing that addition of 50% towards future prospects be set aside on the ground that the job of the deceased was not permanent.

4. Learned counsel for respondents no.1 to 3 submits that the job of the deceased was permanent and the addition of future prospects is fair and reasonable.

5. This Court is of the view that there is no infirmity in the addition of 50% of future prospects considering that the deceased was aged 30 years at the time of the accident.

6. The appeal is dismissed. The appellant has deposited the entire award amount with the Registrar General of this Court in terms of order dated 28<sup>th</sup> April, 2014 out of which 70% amount has already been released to respondents no.1 to 3.

7. Respondents No.1 to 3 shall remain present on the next date of hearing along with passbooks of their savings bank accounts near the place of their residence.

8. UCO Bank, Delhi High Court Branch is directed to confirm the balance as on today with respect to 30% amount lying in the FDR in the name of the Registrar General. UCO Bank, Delhi High Court Branch shall also confirm the amount lying in fixed deposit in the name of respondents no.1 to 3 out of 70% award amount released to respondents no.1 to 3 in terms of order dated 28<sup>th</sup> April, 2014.

9. List for disbursement of the award amount on 16<sup>th</sup> February, 2017 at 2.30 pm.

10. Copy of this judgment be given *dasti* to counsels for the parties under signatures of the Court Master.

11. Copy of this order be also sent to UCO Bank, Delhi High Court Branch.

**J.R. MIDHA, J.**

**JANUARY 16, 2017/dk**

