

(2017) 11 DEL CK 0520
In the Delhi High Court
Case No : MAC. Appeal No. 306 Of 2012

DP Pandey

APPELLANT

Vs

Gurmej Singh & Ors

RESPONDENT

Date of Decision : 13-11-2017

Acts Referred:

Citation : (2017) 11 DEL CK 0520

Hon'ble Judges : R.K.Gauba, J

Bench : Single Bench

Advocate : O.P. Mainee

Final Decision : Disposed Of

Judgement

S.No.,Heads,Compensation

1.,Pain & suffering,"Rs. 15,000/-

2.,Loss of Amenities,"Rs. 15,000/-

3.,Medicines,"Rs. 2,500/-

4.,Special diet & conveyance,"Rs. 5,000/-

5.,Loss of income,"Rs. 6,000/-

,Total,"Rs. 43,500/-

Ltd. Vs. Pranay Sethi and Ors., the accident having occurred when claimant was aged 43 years, the element of future prospects of increase to the",,

extent of 30% would deserve to be added. Since the age of superannuation would ordinarily be 60, the compensation has to be determined with the",,

multiplier of 9.,,

13. Thus, the loss of future income due to functional disability is computed as (2200 x 130 ÷ 100 x 62 ÷ 100 x 12 x 9) Rs. 1,91,505.60, rounded off to",,

Rs. 1,92,000/-.",,

14. Having regard to the nature of injuries, and the extent of disability suffered, as also the prolonged treatment undergone, the damages under the",,,

heads of pain & suffering and loss of amenities of life are increased to Rs. 50,000/- each.",,

15. Adding the other components of compensation awarded by the tribunal, the total compensation payable in the case comes to (1,92,000 + 50,000 +",,,

50,000 + 2,500, + 5,000 + 6,000) Rs. 3,05,500/-, rounded off to Rs. 3,06,000/- (Rupees Three Lacs and Six Thousand Only). The award is enhanced",,,

accordingly.,,

16. Following the consistent view taken by this Court, the rate of interest is increased to 9% per annum from the date of filing of the petition till",,,

realization. [see judgment dated 22.02.2016 in MAC.APP. 165/2011 Oriental Insurance Co Ltd v. Sangeeta Devi & Ors.],,

17. The second respondent will be obliged to satisfy the enhanced award by requisite deposit with the tribunal within thirty days. Needless to add, the",,,

amount already paid in terms of the judgment of the tribunal shall be liable to be adjusted.,,

18. The appeal is disposed of in above terms.,,