
(2012) 02 DEL CK 0238
In the Delhi High Court
Case No : Mac. App. 104 of 2004

Puran Singh and Another

APPELLANT

Vs

United India Insurance Co. Ltd. and Ors

RESPONDENT

Date of Decision : 01-02-2012

Acts Referred:

Citation : (2012) 02 DEL CK 0238

Hon'ble Judges : G.P. Mittal, J

Bench : Single Bench

Advocate : Braham Singh with Mr. N.S. Vidhuri, for the Appellant; K.L. Nandwani, Advocate, for the Respondent

Final Decision : Allowed

Judgement

G.P. Mittal, J.—The Appellants grievance is that the Claims Tribunal accepted the deceased's income to be Rs. 4,000/- per month but deducted 2/3rd towards the personal living expenses and computed the loss of dependency taking only 1/3rd of the deceased's income. As per Smt. Sarla Verma and Others Vs. Delhi Transport Corporation and Another, in case of the death of a bachelor, 50% of the deceased's income is to be taken to compute the loss of dependency. The loss of dependency comes to Rs. 3,12,000/-(4000 X 1/2 X 12 X 13).

2. The Tribunal awarded a sum of Rs. 15,000/- towards the loss of love and affection and funeral expenses. It stands increased to Rs. 25,000/- towards the loss of love and affection, Rs. 5,000/- towards funeral expenses and Rs. 5,000/- towards loss to estate. The total compensation works out to be Rs. 3,47,000/-.

3. The compensation is enhanced from Rs. 2,22,948/- to Rs. 3,47,000/-. The enhanced compensation of Rs. 1,24,052/- shall carry interest @ 7.5% per annum from the date of filing of the petition till the date of payment. The enhanced compensation shall be deposited with the Registrar General of this Court within 30 days. Rest 80% of the amount shall go to the second Appellant and 20% shall go to the first Appellant. 50% of the amount shall be held in Fixed Deposit in

UCO Bank, Delhi High Court Branch. The amount shall be released in favor of the Appellants as stated above forthwith.

4. The Appeal is allowed in above terms.