
(2011) 03 P&H CK 0743

In the Punjab And Haryana At Chandigarh

Case No : CM No. 4023-CII of 2011 and FAO No. 4987 of 2009

Rohit Kumar and Others

APPELLANT

Vs

Bikramjit Singh and Others

RESPONDENT

Date of Decision : 31-03-2011

Acts Referred:

Citation : (2011) 03 P&H CK 0743

Hon'ble Judges : K. Kannan, J

Bench : Single Bench

Final Decision : Allowed

Judgement

K. Kannan, J.—The application for review is filed pointing out to a defect that the award has been worked out without making provision for deduction for tax from the gross salary.

2. Notice of the application has been issued to the counsel for the Appellant and registry has reported that notice has been served but there is no appearance on his behalf.

3. The compensation amount has been enhanced from Rs. 9,39,120/- to Rs. 17,21,720/- The enhanced amount is assessed by adopting a multiplier of 11 instead of 6 as taken by the Tribunal. This altered multiplier is in terms of the law laid down by the Hon"ble Supreme Court in Sarla Verma v. Delhi Road Transport Corporation reported in (2009) 6 SC 121. The yearly dependency was taken awarded Rs. 1,56,520/- and if 10% deduction were to be made for income tax, on an average the yearly dependency would be Rs. 1,40,868/-. If the same multiplier were to be taken the loss of dependency would then be Rs. 15,49,548/-. I have already made provision for Rs. 5,000/- for loss to estate and Rs. 5000/- towards loss of consortium. The total compensation would have been Rs. 15,59,548/- which I will round off to Rs. 15,60,000/-. The compensation assessed already shall stand reduced to Rs. 15,60,000/- instead of Rs. 17,21,720/- as found in the original order. The award stands modified and the

application for review is allowed to the above extent.