



Funeral Expenses = Rs. 2,000/-

Loss of Consortium = Rs. 5,000/-

5. Learned counsel, Mr. A.K. Gupta for the appellant submits, that while determining the loss of income and dependency, learned tribunal did

not take into account the future prospect, inasmuch as, in view of the age of the deceased, being 35 years, an amount equal to 40% of the

income ought to have been added to the income of the deceased as future prospect. Further contention of the learned counsel is that the

quantum of award on account of funeral expenses and loss of consortium were extremely meagre. It is also submitted by the learned counsel,

that the deceased left five dependents and as such, deduction of income towards personal expenses of the deceased ought to have been

1/4th. However, the learned tribunal deducted 1/3rd. Learned counsel further contended that the learned tribunal did not award any amount

towards loss of estate and urged before this Court for enhancement of the compensation by adding future prospect and the quantum of

compensation on the conventional heads as per the guidelines laid down by the Apex Court in National Insurance Co. Ltd. v. Suresh Chandra Sethi

and Ors. reported in (2017) 14 SCC 663. There is no dispute as regards to the age of the deceased being 35 years and as such, the claimant is

certainly entitled to addition of 40% of the income as future prospect to the actual earning.

6. Admittedly the deceased left five dependents. Following the decision of the Apex Court in Sarla Verma & Ors. v. Delhi Transport

Corporation and Ors. reported in AIR 2000 9 SC 3104, deduction towards personal expenses in the instant case should be 1/4th. The claimant is

also entitled to loss of consortium and some amount on account of loss of estate as per the guidelines laid down by the Apex Court in National Insurance Co. Ltd. v. Suresh Chandra Sethi and Ors. (Supra). Accordingly, adding

future prospect as indicated above to the income of the deceased

and deducting 1/4th towards personal expenses and awarding compensation on account of funeral expenses, loss of estate and loss of

consortium as per the guidelines of the Apex Court, the enhanced compensation, to which the claimants will be entitled in the instant



9. Send back the LCR.