



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>AO/304/2014</u> The Oriental Insurance Company Limited --Petitioner Versus Smt. Sita Devi --Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. I.P. Kohli, learned counsel for the petitioner/Insurance Company. Mr. Jayvardhan Kandpal, learned counsel for claimant/respondent no. 1 2. The present Appeal from Order has been preferred against the judgment and order dated 02.05.2014 passed by the Motor Accident Claims Tribunal, Chamoli (Gopeshwar) in M.A.C. No. 25 of 2012, "Smt. Sita Devi v. The Oriental Insurance Company Limited and Another", whereby the learned Tribunal has awarded a sum of ₹ 4,41,500/- in favour of the claimant. 3. Learned counsel for the appellant submits that the learned Tribunal has applied an incorrect multiplier while assessing the compensation. It is submitted that the age of the deceased was 27 years and, therefore, in view of the law laid down by the Hon'ble Supreme Court in Sarla Verma (Smt.) and Others v. Delhi Transport Corporation and Another, the appropriate multiplier would be 17, whereas the learned Tribunal has applied a multiplier of 18. 4. Learned counsel appearing for the claimant does not dispute the aforesaid submission. 5. Having considered the submissions advanced by learned counsel for the parties and upon perusal of the record, this Court finds that the deceased was aged about 27 years at the time of the accident. In view of the law laid down by the Hon'ble Supreme Court in Sarla Verma (Smt.) and Others v.



		Delhi Transport Corporation and Another, the appropriate multiplier applicable to the age group of 27 years is 17. Thus, the learned Tribunal has erred in applying the multiplier of 18. 6. Accordingly, the judgment and award dated 02.05.2014 passed by the learned Motor Accident Claims Tribunal, Chamoli (Gopeshwar) in M.A.C. No. 25 of 2012 is hereby modified to the limited extent that, while computing the compensation payable to the claimant, the multiplier of 17, instead of 18, shall be applied. Consequently, the compensation under the said head shall be recalculated as ₹24,000/- × 17 = ₹4,08,000/-. The remaining components of the compensation awarded by the learned Tribunal, as well as the interest and other directions contained in the impugned judgment and award, shall remain unaltered. Accordingly, the impugned judgment and award stands modified to the aforesaid extent. 7. The amount of compensation already deposited, to the extent of 50% of the awarded amount, has been withdrawn by the claimant. The balance amount, as recalculated in accordance with the aforesaid modification, shall be deposited by the appellant before the learned Tribunal concerned within a period of four weeks from today. 8. The learned Tribunal shall thereafter release/disburse the amount to the claimant in accordance with law. 9. The Appeal from Order is, accordingly, disposed of. (Alok Mahra, J.) 21-08-2026 SB
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