

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 19719/2019

(Arising out of impugned final judgment and order dated 24-10-2018 in FA No. 1662/2015 passed by the High Court of Gujarat at Ahmedabad)

MANISHABEN ALPESHBHAI PAREKH & ORS.

Petitioner(s)

VERSUS

TOP IMPEX HOUSING PRIVATE LTD & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.115084/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

IA No.142967/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS

IA No.142969/2019 - EXEMPTION FROM FILING O.T.

IA No.156438/2019 - PERMISSION TO FILE ADDITIONAL DOCUMENTS

IA No.156441/2019 - EXEMPTION FROM FILING O.T.

Date : 11-02-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL

HON'BLE MR. JUSTICE K.M. JOSEPH

For Petitioner(s) Mr. Nakul Dewan, Sr. Adv.
Mr. Pradhuman Gohil, Adv.
Mrs. Taruna Singh Gohil, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

Applications for exemption from filing official translation, exemption from filing certified copy of the impugned judgment and permission to file additional documents are allowed.

Learned senior counsel has drawn our attention to the Form 16 filed with the additional documents to contend that as per the Income Tax Return, the salary is Rs.96,003/- i.e Rs.8,000/- per month. On the other hand

we have drawn the attention of the learned counsel to paragraph 6 of the impugned order where a reference is made to Exh.25. which is stated to be a certificate of income issued by the Company stating that the victim was earning Rs.5,000/- per month. It is the latter which has been taken into account by the Motor Accident Claims Tribunal.

Learned counsel also fairly states that the only issue is of the monthly income as the other are consequential effects of the multiplier in terms of the judgment of this Court in the case of *Sarla Verma v. Delhi Transport Corporation* (2009) 6 SCC 120 and *National Insurance Co.Ltd. v. Pranay Sethi* (2017) 16 SCC 680.

Learned counsel seeks four weeks' time to file Exh.25.

List after the document is filed.

(ANITA MALHOTRA)
COURT MASTER

(PRADEEP KUMAR)
COURT MASTER