

**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**  
**CIVIL APPEAL NO.3311 OF 2020**  
**(Arising out of SLP (Civil) No.26649 of 2018)**

**RENU & ORS.**

**Appellants**

**VERSUS**

**BIJENDER & ORS.**

**Respondents**

**O R D E R**

Leave granted.

This appeal challenges the judgment and order dated 15.03.2018 passed by the High Court of Punjab & Haryana at Chandigarh in F.A.O. No.3310 of 2017.

In a motor accident that occurred on 29.06.2015, one Mukesh lost his life. His dependents namely, his widow, daughter, minor sons and parents lodged a claim for compensation. In the proceedings, a letter issued by Sarpanch of Gram Panchayat, Gokalpur Kumbhawas, District Rewari, Haryana indicating service and salary of the deceased was produced on record (Ex.P6) which indicated that the deceased was earning Rs.8100/- per month at the time of his death.

The Tribunal assessed the compensation on the basis that the income of the deceased was Rs.5812/- per month and then computed the annual loss of dependency. The multiplier of 14

was adopted which was based on the approximate age of the deceased between 41 to 45, as per the post-mortem report.

The Tribunal thus found that the dependents of the deceased were entitled to the compensation in the sum of Rs.7,52,312/- along with interest @ 7.5% per annum.

In an appeal arising therefore, the salary of the deceased was taken to be Rs.6000/- per month and the computation was reworked by the High Court. The figure that was arrived at was Rs.11,28,400/- along with interest @ 7.5% per annum.

It is accepted that the sum as awarded by the High Court has been made over to the dependents of the deceased.

The learned counsel for the appellant invited our attention to Ex.P6. He submitted that in the face of documentary evidence which showed the income at the level of Rs.8100/- per month, the Tribunal and the High Court were wrong in scaling down the income and that the assessment made by the Tribunal and the High Court in that behalf being erroneous, needs to be corrected. It is also submitted that at the time of the accident, the age of the deceased was 38 and as such, the appropriate multiplier would be 15 instead of 14.

Considering the totality of the circumstances, in our view, ends of justice would be met if the respondent no.3

(Shriram General Insurance Company Ltd.) is directed to make over a further sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the dependents of the deceased within four weeks from today in full and final settlement of their claims arising out of the accident.

Let the money be deposited in the Registry of the Motor Accident Claims Tribunal, Rewari within four weeks from today. The dependents of the deceased, upon sufficient proof of their identity, shall be handed over the sum by the Registry of the MACT, Rewari.

The appeal is allowed in the aforesaid terms. No costs.

.....J.  
[UDAY UMESH LALIT]

.....J.  
[VINEET SARAN]

.....J.  
[S. RAVINDRA BHAT]

NEW DELHI;  
SEPTEMBER 28, 2020

ITEM NO.22

COURT NO.4  
(HEARING THROUGH VIDEO CONFERENCING)

SECTION IV-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition for Special Leave to Appeal (C) No.26649/2018

(Arising out of impugned final judgment and order dated 15-03-2018 in FAO No.3310/2017 passed by the High Court Of Punjab &amp; Haryana At Chandigarh)

RENU &amp; ORS.

Petitioner(s)

VERSUS

BIJENDER &amp; ORS.

Respondent(s)

Date : 28-09-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT  
HON'BLE MR. JUSTICE VINEET SARAN  
HON'BLE MR. JUSTICE S. RAVINDRA BHATFor Petitioner(s) Mr. Rakesh Kumar Yadav, Adv.  
Mr. Rameshwar Prasad Goyal, AORFor Respondent(s) Ms. Meenakshi Midha, Adv.  
Mr. Kapil Midha, Adv.  
Ms. Abhivandana Chowdhury, Adv.  
Mr. Chander Shekhar Ashri, AORUPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is allowed, in terms of the Signed Order.

Pending applications, if any, also stand disposed of.

(MUKESH NASA)  
COURT MASTER(PRADEEP KUMAR)  
BRANCH OFFICER

(Signed Order is placed on the File)