

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6020 OF 2019
(Arising out of SLP(Civil) No.6944 of 2018)

CHOLAMANDALAM M/S GENERAL INSURANCE COMPANY LTD. APPELLANT(S)

VERSUS

AARIFA & ORS.

RESPONDENT(S)

O R D E R

Leave granted.

We have heard counsel for the parties.

The challenge to the order of the High Court enhancing compensation, as awarded by the Tribunal, is on the ground that it is far in excess of that to be paid in accordance with National Insurance Company Limited Vs. Pranay Sethi and others - (2017) 16 SCC 680.

We are not inclined to interfere with the assessment made by the High Court enhancing the monthly income of the deceased. But we do find that grant of future prospects had to be at 40% and not 50%. Likewise compensation under the non-conventional heads could not have been awarded in excess of Rs.70,000/-. Deduction for personal living expenses of the deceased in the facts of the case ought to have been at 1/4th.

Subject to the aforesaid, we modify the compensation, as enhanced by the High Court, and bring it down to a sum of Rs.18,84,400/- (Rupees Eighteen Lacs Eighty Four Thousand Four Hundred) which shall carry interest at the rate of 7.5% as awarded.

The appeal is allowed to the aforesaid extent only.

.....J.
(ASHOK BHUSHAN)

.....J.
(NAVIN SINHA)

New Delhi
August 01, 2019

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(s) for Special Leave to Appeal (C) No(s).6944/2018

(Arising out of impugned final judgment and order dated 27-09-2017 in FAO No.3383/2015 passed by the High Court Of Punjab & Haryana At Chandigarh)

CHOLAMANDALAM M/S GENERAL INSURANCE COMPANY LTD. Petitioner(s)

VERSUS

AARIFA & ORS. Respondent(s)

Date : 01-08-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner(s)

Ms. Meenakshi Midha, Adv.
Mr. Kapil Midha, Adv.
Ms. Abhivandana, Adv.
Mr. Chander Shekhar Ashri, AOR

For Respondent(s)

Mohd. Zahid Hussain, Adv.
Mr. Kamal Mohan Gupta, AOR

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

Leave granted.

The appeal is allowed to the extent indicated in the signed order.

Pending application(s), if any, stands disposed of.

(ARJUN BISHT)
COURT MASTER (SH)

(RENU KAPOOR)
BRANCH OFFICER

(signed order is placed on the file)