

Rajender Kumar Sharma Vs. Moti Ram and anr

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Court : Delhi

Decided On : Aug-22-2013

Judge : Suresh Kait

Appellant : Rajender Kumar Sharma

Respondent : Moti Ram and anr

Judgement :

\$~17 * IN THE HIGH COURT OF DELHI AT NEW DELHI % + Judgment delivered on:22nd August, 2013 MAC.APP. 1090/2012 RAJENDER KUMAR SHARMA Appellant Through: Mr.P.K. Malik and Mr. N.P. Joshi, Advs. versus MOTI RAM & ANR Respondents Through: Mr. Nawal Kishore Jha, Adv. with Mr. Harish Sharma, ALO. CORAM: HON'BLE MR. JUSTICE SURESH KAIT SURESH KAIT, J.

(Oral) 1. The present appeal is preferred against the impugned award dated 10.07.2012 passed by the Ld. Tribunal whereby the Tribunal awarded a sum of Rs. 3,47,600/- as compensation with interest @ 7.5% per annum from the date of filing the petition till realization. Vide the present appeal, the appellant has sought enhancement of the compensation amount.

2. Counsel appearing on behalf of the appellant has argued only on the issue that the age of the deceased at the time of accident was 20 years whereas Ld. Tribunal has considered the age of the father and applied 8 as the multiplier.

3. The law has been settled on the issue whether the age of the deceased or the age of the parents has to be considered. If the deceased is a bachelor then the age of the parents has to be considered in view of the decision of the Supreme Court in U.P. State Road Transport Corporation and Ors. Vs. Trilok Chandra and Ors., (1996)4SCC362, and Sarla Verma vs. DTC & Ors. 2009(6) SCC 121.

4. Admittedly, the deceased was bachelor and died at the age of 20 years. It is also admitted fact that the age of father of the deceased was 48 years at the time of accident. Accordingly, Ld. Tribunal has rightly applied 8 as the multiplier.

5. Therefore, keeping in view the settled law, I do not find any substance in the instant appeal. The same is accordingly dismissed.

6. No order as to costs. SURESH KAIT, J.

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