

United India Insurance Company Limited

Miscellaneous Appeal No.213 of 2014

FORUM

Patna High Court

ORDER DATE

06 May 2019

NOTE TYPE

Source extract

01 CONCLUDING COURT PASSAGE - SOURCE EXTRACT

It has further been submitted that the Apex Court has fixed additional compensation of Rs.30,000/- under the head of funeral expenses and loss of estate and appellant is also entitled for the same. After considering the submission made by the parties, this Court also finds that applicable multiplier in case of claimant-appellant should be 18 and in addition thereto, additional compensation of Rs.30,000/- is also required to be paid to them as such, the compensation awarded to the claimant is enhanced to the extent as indicated above. The claim of appellant with regard to future prospect cannot be allowed as the deceased was a daily wager employee and in such cases compensation in head of future prospect cannot be granted. The appellant has also submitted that Tribunal has assessed the annual income of deceased on the lower side, however, this Court does not find any error in assessing the annual income of the deceased by the Tribunal. As a result, these appeals are partly allowed and respondent - Reliance General Insurance Company Ltd. is directed to pay the enhanced compensation amount of Rs.4,18,800/- to the claimant and United India Insurance Company Ltd. is absolved from the liability of paying any amount of compensation to the claimant. The compensation amount to be paid with 8 % interest per annum from the date of filing of application till its realization within two months from the date of receipt/production of a copy of this order. The statutory amount of Rs.25,000/- deposited by the appellant - Reliance General Insurance Company may be paid to claimant and a cheque of Rs.25,000/- be prepared in the name of claimant and handed over to his counsel for its payment to the claimant. Let the L.C.R. be sent back to the court concerned forthwith.

SOURCE & VERIFICATION

Supplied court copy / compilation pp. 319-328

READ ORDER

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