

Jaimala Devi & others

Miscellaneous Appeal No.21 of 2016

FORUM

Patna High Court

ORDER DATE

08 Jul 2019

NOTE TYPE

Source extract

01 CONCLUDING COURT PASSAGE - SOURCE EXTRACT

23,106,56/- to be paid to the claimants with interest @ 7 per cent per annum from the date of application till date of payment after deducting the applicable income tax. The claims tribunal has assessed the monthly income of deceased as Rs.14,284/- and annual income as Rs.1,71,408/- and since deceased was unmarried the tribunal has deducted 50% of annual income towards his personal and living expenses which comes to Rs.85,902/- and as such, has assessed loss of dependency to be Rs.85,902/- and since the age of deceased was 21 years, multiplier of 18 was applied and compensation amount has been assessed as 15,46,236/- and thereafter has added 50% towards future prospect and thereafter under conventional heads has granted Rs.2,500/- for loss of estate, Rs.2,000/- for funeral expenses and Rs.5,000/- for loss of love and affection and has quantified the amount of compensation as Rs.23,10,656/- with interest @ 7% per annum from the date of filing of claim application till its payment. After hearing the parties and perusing the order passed by claims tribunal, this court does not find any infirmity or error in the award passed by the claims tribunal. Accordingly, the Insurance company is directed to pay the compensation amount in terms of award passed by claims tribunal within two months from date of receipt/production of a copy of order passed by this Court. The statutory amount of Rs. 25,000/- deposited by the appellant-insurance company at the time of filing of appeal, a cheque for the same would be prepared in the name of claimant no.1 and be send to the concerned Tribunal for its onward payment to the claimants, which shall be adjusted in the claim amount. Both the miscellaneous appeals are disposed of.

SOURCE & VERIFICATION

Supplied court copy / compilation pp. 336-340

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