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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ MAC.APP. 397/2022

RUBI DEVI AND ANR

.....Appellants

Through: Mr. Manish Maini, Ms. Aastha
Chauchan, Advocates.

versus

THE NEW INDIA ASSURANCE COM. LTD. AND ORS

.....Respondents

Through: Mr. Sahil Paul, Advocate for
respondent no.1.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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16.02.2026

1. The issue that arises in this appeal relates to the application of *notional income* at Rs. 15,000/- for the assessing *loss of dependency* on account of death of a four-year-old child in an accident that occurred on 19th February 2018. To this, after applying cost inflation index, annual income was assessed at Rs. 42,000/-. After deducting *one-third towards personal expenses*, the *loss of dependency* was calculated at Rs. 2,80,000/- ($42,000 \times 10 \times 2/3$).
2. *Mr. Manish Maini*, counsel appearing for appellant/claimant, states that the matter now stands settled by the Hon'ble Supreme Court and this Court in various judgments, where *minimum wages of skilled worker* have been taken in case of death of a child, and a *multiplier of 18* has been adopted.
3. He will provide a tabulation of all the judgments in chronological



order, specifying the Court which rendered the decision, whether it is an injury or death case, and what are the final conclusions by the said decisions.

4. Counsel for respondent seeks to rely primarily on ***Meena Devi v Nunu Chand Mahto @ Nemchand Mahto & Ors.*** in SLP Civil No. 5345/2019 dated 13th October 2022; same tabulation will be given in respect to the judgments which he seeks to rely upon.

5. Both parties shall exchange the tabulations prior to the next date of hearing.

6. Counsel for respondent shall also refer to decision of this Court in ***National Insurance Company v Sanju and Ors.*** 2025: DHC:11781 and ***Tata AIG v Mukesh Kumar & Ors.*** 2026:DHC:611, where a view taken by this Court, supports the case of appellant.

7. Along with tabulation, the copies of the decisions, if not already filed, will be handed over to the Court Master of this Court before the next date of hearing.

8. List on 27th February 2026, in *supplementary list*.

9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

FEBRUARY 16, 2026/RK/bp