

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.4688/2001

(From the judgement and order dated 14/11/2000 in DBSA 49/2000
of The HIGH COURT OF RAJASTHAN, JAIPUR BENCH)

JASSO DEVI @ JASHODA BEN & ORS.

Petitioner (s)

VERSUS

BASANT KUMAR & ORS.

Respondent (s)

Date : 19/08/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R.C. LAHOTI
HON'BLE MR. JUSTICE BRIJESH KUMAR

For Petitioner (s)

Mr. P.K. Jain, Adv.

For Respondent (s)

Mr. Sahil Paul, Adv.
Mr. Abhishek, Adv.
for Ms. Indra Sawhney, Adv.

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

.....L.....I.....J
.SP2

The appeal is partly allowed in terms of the
signed order.
No order as to the costs.

.SP1
.....L.....T.....J

(Ajay Kr. Jain)
Court Master

(Radha R. Bhatia)
Court Master

(Signed order is placed on the file)

.PA
.PL55

.....L.....I.....T.....T.....T.....T.....T.....T.....J.
IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5132 OF 2002@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC
(Arising out of S.L.P. (C) No. 4688 of 2001)

Jasso Devi @ Jashoda Ben & Ors. ... Appellants

versus

Basant Kumar & Ors. ... Respondents

O R D E R@@
CCCCCCCC

.SP2

Leave granted.

Having heard learned counsel for the parties, we are satisfied that a very minor change in the impugned award is warranted so as to bring it in conformity with the provisions of the Motors Vehicle Act, 1988. The deceased was, as per the finding arrived at by the Tribunal, 37 years of age. As per Second Schedule appended to the Motors Vehicle Act, the multiplier to be adopted ought to have been 16, and not 15 as adopted by the Tribunal. The dependence of the L.Rs. has been assessed at Rs. 21,000/- per annum. Accordingly, the amount of compensation awarded by the Tribunal deserves to be increased by Rs. 21,000/-. The appeal is partly allowed. The amount of compensation as awarded by the Tribunal is increased to Rs.3,20,000/- (Rupees Three Lacs and Twenty

...2/-

- 2 -

Thousand only) instead of Rs. 2,99,000/-. The rest of the award including the direction as to payment of interest is maintained.

No order as to the costs.

.SP1

.....J.
(R.C. LAHOTI)

.....J.
(BRIJESH KUMAR)

New Delhi,
August 19, 2002.