

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 6873 OF 2018
(Arising out of SLP(Civil) No. 4945 of 2018)

RAM LALKHANGAR AND ANR. ... Appellant(s)

Versus

RELIANCE GENERAL INSURANCE Co. LTD. & ANR. ... Respondent(s)

O R D E R

Heard learned counsel for the parties.

Leave granted.

The award that was passed by the Motor Accident Claims Tribunal correctly found that the deceased was earning a sum of Rs. 6065/- p.m. and applied a multiplier of 17, given the age of the deceased. The High Court was in error in reducing this multiplier to 12 without realising that it is the deceased's age alone that is to be seen.

We, therefore, set-aside the judgment of the High Court and re-instate the order passed by the Motor Accident Claims Tribunal. It is made clear that if the appeal, that is pending, and that has been filed by respondent No. 2 succeeds, it will be the Insurance

Company alone which will pay the requisite amount.

The appeal is disposed of accordingly.

*Pending applications, if any, shall stand disposed
of.*

*.....J.
(ROHINTON FALI NARIMAN)*

*.....J.
(INDU MALHOTRA)*

*New Delhi,
Dated: 23rd July, 2018.*

ITEM NO.53

COURT NO.9

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 4945/2018

(Arising out of impugned final judgment and order dated 23-01-2017 in MACA No. 148/2016 passed by the High Court Of Delhi At New Delhi)

RAM LALKHANGAR & ANR.

Petitioner(s)

VERSUS

RELIANCE GENERAL INSURANCE COMPANY LIMITED & ANR. Respondent(s)

Date : 23-07-2018 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ROHINTON FALI NARIMAN
HON'BLE MS. JUSTICE INDU MALHOTRA

For Petitioner(s) Mr. Yadav Narender Singh, AOR
Mr. Ashutosh Yadav, Adv.
Mr. Abhishek Singh, Adv.
Mr. Ajay Chaudhary, Adv.

For Respondent(s) Mr. Mohd. Mustafa, Adv.
Mr. Dayal, Adv.
Mr. Rameshwar Prasad Goyal, AOR

Ms. Prerna Mehta, AOR

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

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending applications, if any, shall stand disposed of.

(SHASHI SAREEN)
AR CUM PS

(Signed order is placed on the file)

(SAROJ KUMARI GAUR)
BRANCH OFFICER