

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****287****RA-CR-107-2023****IN FAO-4652-2018****Date of Decision : 12.05.2025**

Anand Kumar

....Appellant

VERSUS

Roop Singh and Others

....Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ashwani Arora, Advocate
for the review applicant-appellant.

Mr. Ashwani Talwar, Advocate
for the respondent No.3.

ALKA SARIN, J. (Oral)

1. Present application has been filed by the injured-appellant for review of the order dated 25.04.2023.
2. Learned counsel for the review-applicant would contend that though the disability of the injured-appellant was assessed as 100%, however, while calculating the compensation in para 23 of the judgment, 50% deduction has been made towards personal expenses. Learned counsel for the review-applicant has relied upon the judgments of the Hon'ble Supreme Court in the cases of **Raj Kumar vs. Ajay Kumar & Anr. [(2011) 1 SCC 343]** and **Rahul Ganpatrao Sable vs. Laxman Maruti Jadhav (Dead) through LRs & Ors. [2023 (3) RCR (Civil) 573]** to contend that in a case of injury there would be no deduction towards dependency.

3. Learned counsel appearing on behalf of the Insurance Company is not in a position to dispute the proposition of law as enunciated in the above referred judgments.

4. Heard.

5. In the present case, while disposing off the appeal being FAO-4652-2018 vide order dated 25.04.2023, no discussion was made regarding the deduction @ 50% towards dependency though the functional disability was assessed as 100% in para 15 of the order. However, loss of dependency in para 23 of the order was mentioned in the computation of the compensation. In view thereof, the order dated 25.04.2023 passed in FAO-4652-2018 stands reviewed to that extent and consequently the computation of compensation is re-worked out in para 23 of the said order, which shall read as under :

Sr. No.	Heads	Compensation Awarded
1	Injured	Anand Kumar
2	Date of accident	30.10.2014
3	Age	17 years
4	Permanent functional disability	100%
5	Notional monthly income	₹20,000/-
6	Addition of 40% towards future prospects	₹8000/-
7	Total notional monthly income	₹28,000/-
8	Total loss of dependency by applying multiplier of 18	[Rs.28,000 x 12 x 18] = Rs.60,48,000/-
9	Expenses for an attendant (50% of ₹6660 = ₹3330 per month) applying multiplier of 18	₹7,19,280/-

10	Loss of marriage prospects	₹3,00,000/-
11	Medical expenses as allowed by the Tribunal	₹70,858/-
12	Transportation charges	₹50,000/-
13	Special diet as allowed by the Tribunal	₹25,000/-
14	Pain, suffering and loss of amenities of life	₹10,00,000/-
	Total compensation	₹82,13,138/-

6. This order be read as part of order dated 25.04.2023 passed in FAO-4652-2018.

7. The review application stands disposed off in the above terms. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

12.05.2025
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO