



2026:DHC:4553



\$~52

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

Date of decision: 20th May 2026.

+ **MAC.APP. 298/2026, CM APPL. 29931-29932/2026**

FARZANA BEGAM & ANR.Appellants

Through: Mr. S N Parashar, Advocate with
Mr. Ritik Singh, Advocate.

versus

SH DEVENDRA & ORS.Respondents

Through: Mr. JPN Shahi, Advocate for R-3.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

JUDGMENT

%

ANISH DAYAL, J (ORAL):

1. This appeal has been filed by claimants seeking enhancement of compensation awarded *at Rs. 5,98,500/-* by impugned judgment dated 23rd December 2026, passed by the Motor Accidents Claims Tribunal East District, Karkardooma (*'MACT/Tribunal'*), in MACT No. 386/2016, arising out of an accident that occurred on 31st August 2014 near *Madina Masjid, Ashok Vihar, Loni*, wherein the deceased, *Mohd. Shahruk*, aged 18 years, while riding his motorcycle, was hit by the offending vehicle/bus bearing registration No. UP-17B-3901. The claim petition was filed by the parents of the deceased.

2. *Mr. S.N. Parashar*, counsel for claimants, contends that the MACT applied a multiplier of '*13*' on the basis of the age of the mother



2026:DHC:4553



instead of adopting the multiplier of '18' for the age group 15-20 years, in terms of the principles enunciated in *Smt. Sarla Verma & Ors v. Delhi Transport Corporation & Anr.* (2009) 5 SCC 121 and *National Insurance Company v. Pranay Sethi & Ors.* (2017) 16 SCC 680.

3. The Supreme Court in the case of *Reshma Kumari v. Madan Mohan* (2013) 9 SCC 65, held that the multiplier is to be used with reference to the age of the deceased. The Constitution Bench in *Pranay Sethi (supra)*, affirmed the view taken in *Smt. Sarla Verma (supra)*, and *Reshma Kumari (supra)*, and recorded in the conclusions as under:

“59.7. *The age of the deceased should be the basis for applying the multiplier.*”

4. Needless to say, the same has to be aligned with the principles laid down by the Supreme Court and, to that extent, the plea of the claimants is accepted. Accordingly, the multiplier is modified from '13' to '18'

5. The following components of compensation shall also be aligned as per the principles enunciated in *Pranay Sethi (supra)*;

- i. *Loss of estate* will be reduced from Rs. 25,000/- to Rs. 15,000/-.
- ii. *Funeral expenses* will be reduced from Rs. 25,000/- to Rs. 15,000/-;
- iii. *Loss of love and affection*, as per *United India Insurance Co. Ltd. v. Satinder Kaur* (2021) 11 SCC 780, will be deleted;
- iv. *Future prospects* ought to be 40% as the deceased was 18 years of age, and no evidence of permanent employment is on record; and
- v. *Loss of consortium* will be Rs. 40,000/- x 2 = 80,000/-, as there are two claimants, namely, mother and father of the deceased.

6. Accordingly, compensation is recomputed as under:



2026:DHC:4553



Sr. No.	Heads	Awarded by the Tribunal	Awarded by the Court
1.	Monthly income of the deceased (A)	Rs. 5,750/-	Rs. 5,750/-
2.	Add-Future Prospects (B)	NIL	40% of Rs. 5,750/- = Rs. 2,300/-
3.	Less-personal expenses of the deceased (C)	1/2 of Rs. 5,750/- = Rs. 2,875/-	1/2 of Rs. 8,050 = Rs. 4,025/-
4.	Annual loss of dependency [(A+B) - C] x 12= D]	Rs. 34,500/-	Rs. 48,300/-
5.	Multiplier (E)	13	18
6.	Total loss of dependency (D x E) = (F)	Rs.4,48,500/-	Rs. 8,69,400/-
7.	Compensation for loss of love and affection (G)	Rs. 1,00,000/-	NIL
8.	Compensation for loss of consortium (H)	NIL	Rs. 80,000/-
9.	Compensation for loss of estate (I)	Rs. 25,000/-	Rs. 15,000/-
10.	Compensation towards funeral expenses (J)	Rs. 25,000/-	Rs. 15,000/-
11.	Total Compensation (F+G+H+I+J = K)	Rs.5,98,500/-	Rs. 9,79,400/-
12.	Interest Awarded	9% per annum	9% per annum
13.	Enhanced Compensation	Rs. 3,80,900/-	

7. *Mr. JPN Shahi*, counsel for the Insurance Company, objects to the grant of interest for the complete period starting from the date of filing of the claim petition, considering that there has been considerable delay on the part of the claimants in pursuing the plea for enhancement.

8. Initially, the claimants filed an application under *Section 114* read with *Order XLVII* of the Code of Civil Procedure 1908 ('*CPC*'), moved on behalf of the appellants, seeking review of judgment award dated 23rd December 2016. The said application was dismissed by order dated 13th November 2019.

9. Thereafter, *C.M.(M) 1888/2023* was filed before this Court after a



2026:DHC:4553



delay of nearly four years, which came to be disposed of on 11th March 2026, permitting the claimants to pursue their plea for enhancement.

10. However, keeping aside the issue of freezing the complete period for interest, considering the delay in approaching the Courts is attributed to the appellants, it would not be just if the Insurance Company has to pay the interest for the entire period.

11. Accordingly, interest @ 9% per annum on the enhanced amount shall be payable from the date of filing of the claim petition till 23rd December 2016, i.e. the date on which the impugned award was passed, and then from the date of this order till the date of deposit of the enhanced amount.

12. The enhanced amount will be deposited within 6 weeks and will be released in equal shares to each of the appellants, in terms of the apportionment directed by the MACT.

13. The appeal is disposed of accordingly. Pending applications (if any) are rendered infructuous.

14. Judgement be uploaded on the website of this Court.

(ANISH DAYAL)
JUDGE

MAY 20, 2026/RK/bp