



FAO-613-2002

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207 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO-613-2002
Date of Decision: 31.10.2025

MANJU AND ORS

.....Appellants

Versus

SURESH KUMAR AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Anil Shukla, Advocate
 for the appellants.

 Mr. Sandeep Suri, Advocate
 for respondent No.3.

Parmod Goyal, J. (Oral)

Claimants/appellants have preferred the present appeal being aggrieved by compensation of Rs.8,65,000/- only vide impugned award dated 03.11.2001, passed by learned Motor Accident Claims Tribunal, Faridabad (hereinafter referred as ‘Tribunal’).

2. Claimants/appellants were awarded the following compensation by the Tribunal:-

Income	Rs.60,000/- per month	Rs.60,000/- per month
Deduction	1/3rd (60,000-20,000)	Rs.40,000/-
Multiplier	13	13
Loss of dependency	40,000 x 13	Rs.5,20,000/-
Treatment charges		Rs.3,38,000/-
Transportation charges		Rs.7,000/-
Total amount of compensation awarded		Rs.8,65,000/-

3. Claimants/appellants are mainly aggrieved by wrong



application of deduction towards personal expenses, non-grant of future prospects, wrong application of multiplier and non-grant of consortium to all the claimants/appellants. Claimants/appellants are also aggrieved by non-grant of compensation under the heads funeral expenses and loss of estate.

4. Learned Tribunal has assessed the annual income of deceased to be Rs.60,000/- on the basis of income tax return Ex.P-3 as duly noticed in impugned order. There is no dispute about income taken by learned Tribunal raised either by claimants/appellants or by respondents. Admittedly, as per claim petition deceased was aged 42 years and was survived by his wife, two minor children and parents i.e. claimants No.1 to 5.

5. In the present case, learned Tribunal has applied multiplier of 13 after making deduction of 1/3rd towards personal expenses. I find merit in the contentions raised on behalf of appellants/claimants that learned Tribunal ought to have granted multiplier of 14 as deceased was in the age group of 41-45 as per judgment of Hon'ble Supreme Court in ***Sarla Verma Vs. Delhi Transport Corporation 2009 Vol.III RCR (Civil) 77***. It is also not in dispute that deceased is survived by five dependents and, therefore, the learned Tribunal ought to have taken 1/4th as deduction towards personal expenses. I also find that learned Tribunal has failed to take into consideration future prospects while calculating loss of dependency. Claimants/appellants are therefore, entitled to future prospects to the extent of 25% in terms of judgment of Hon'ble Supreme Court in ***National Insurance Company Ltd. Vs. Pranay Sethi & Ors., 2017 (16) SCC 680***.

Claimants/appellants are entitled to multiplier of 14. Deduction has to be



made to the extent of 1/4th keeping in view number of dependents and 25% towards future prospects has to be added to the monthly income of deceased. Claimants/appellants shall also be entitled to compensation of Rs.7,500/- towards funeral expenses, Rs.7,500/- towards loss of estate and Rs.15,000/- to each of the claimants/appellants towards spousal, parental and filial consortium. Claimants/appellants shall also be entitled to interest @7.5% on the enhanced compensation from the date of filing of claim petition till realization.

6. Accordingly, claimants/appellants shall be entitled to following compensation :-

Income of deceased	Rs.60,000/- per annum (as per income tax return)	Rs.60,000/- per annum
Future prospects	25% (60,000+15,000)	Rs.75,000/-
Deduction	1/4th (75,000-18,750)	Rs.56,250/-
Multiplier	14	14
Loss of dependency	56,250 x 14	Rs.7,87,500/-
Funeral expenses		Rs.7,500/-
Loss of estate		Rs.7,500/-
Spousal consortium (to claimant No.1)		Rs.15,000/-
Filial consortium (to claimant No.4 & 5)		Rs.30,000/-
Parental consortium (to claimant No.2 & 3)		Rs.30,000/-
Treatment charges	Rs.3,38,000/- (awarded by Tribunal)	Rs.3,38,000/-
Transport charges	Rs.7,000/- (awarded by Tribunal)	Rs.7,000/-
Compensation awarded by Tribunal	Rs.8,65,000/-	
Compensation awarded in Appeal		Rs.12,22,500/-



Enhanced amount of compensation	Rs.12,22,500/- (awarded in appeal) – Rs.8,65,000/- (awarded by Tribunal	Rs.3,57,500/-
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7. No change in medical and transport expenditure as awarded by learned Tribunal is warranted. The total enhanced amount of Rs.3,57,500/- shall be paid along with interest @7.5% within 8 weeks from today. The appeal is allowed in above terms.

31.10.2025
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No