IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2025:PHHC:171028

(117) **FAO-2144-2020**
Date of Decision: 08.12.2025

Meera Devi --Appellant

Versus

Rajesh Kumar & others --Respondents

CORAM:- HON'BLE MR. JUSTICE VIKAS BAHL.

Present:- Mr. Ravi Kant Berwal, Advocate for the appellant.

Mr. Lalit Garg, Advocate for respondent no.3.

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VIKAS BAHL.J (Oral)

1. Mother of deceased Amit Kumar has filed the present appeal for enhancement. Vide award dated 03.09.2019 an amount of Rs.14,56,000/- was awarded as compensation to the appellant on account of accidental death of Amit Kumar. The only issue which arises for adjudication in the present appeal is as to whether the present appellant is entitled to enhanced compensation.

2. Learned counsel for the appellant has submitted that in the present case the Tribunal has not taken into consideration future prospects so as to assess the total income and an additional 40% of the income i.e., Rs.13,000/- which had been assessed by the Tribunal, should be taken into consideration on account of future prospects. It is submitted that in case the benefit of future prospects is taken into consideration, then, the total loss of income would come to Rs.18,56,400/-, whereas the Tribunal has granted a total amount of Rs.13,26,000/- on the said account. Learned counsel for the appellant has submitted that on the enhanced amount, interest at the

rate of 9% per annum be granted.

3. Learned counsel for the respondent no.3, on the other hand, has submitted that in the present case the amount on accounts of loss of consortium, loss of estate and funeral expenses had been awarded as Rs.1,30,000/- which is highly excessive and the amount on the said accounts deserves to be reduced to Rs.70,000/-. It is further submitted that the highest rate of interest, which the appellant can be awarded on the additional compensation is at best 6% per annum.

4. Learned counsel for the appellant after taking into consideration the submissions raised by counsel for respondent no.3-Insurance Company, has submitted a revised chart, which is reproduced as under:-

Name of deceased: Amit Kumar Age on accident date= 30 years

Income taken by Tribunal	13000 (minimum wages)	
Future prospectus	40% = 5200	Total = 18200
Deduction	50%	Total = 9100
Income	9100	
Multiplier	17	
Loss of income	18,56,400/-	
Consortium	40,000/-	
Loss of estate	15,000/-	
Funeral expenses	15,000/-	
Total	19,26,400/-	

5. The revised chart submitted by learned counsel for the appellant is in accordance with law and takes into consideration the objections raised by learned counsel for respondent no.3. The entitlement to get benefit under the account of future prospects to the extent of 40% could not be disputed before this Court. Furthermore, the amounts on accounts of loss of consortium, loss of estate and funeral expenses has been mentioned

in the revised chart as per the objections raised by learned counsel for respondent no.3-Insurance Company.

6. Accordingly, the said entries are in accordance with settled law. This Court has been repeatedly granting interest @ 7.5% per annum and finds that in the present case also the said rate of interest deserves to be granted on the additional compensation.

7. Keeping in view the above said facts and circumstances, the present appeal is partly allowed, the award of the Tribunal is modified and the present appellant is held entitled to an additional compensation of Rs.4,70,400/- along with interest at the rate of 7.5% per annum from the date of filing of the claim petition till its realisation within a period of six weeks from today.

(VIKAS BAHL)
JUDGE

08.12.2025
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No