



FAO-3344-2003

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

FAO-3344-2003

Date of Decision: 29.10.2025

NARINDER PAUL SINGH AND OTHERS

....Appellants

Versus

GURMEET SINGH AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Sanjeev Kadon, Advocate
 for the appellants.

 Mr. Suvir Dewan, Advocate
 for respondent No.4.

Parmod Goyal, J. (Oral)

Complete paper book has been filed by learned counsel for the appellant, which is taken on record.

2. Appellants/claimants have preferred the present appeal being aggrieved by the award dated 15.05.2003, passed by learned Motor Accident Claims Tribunal, Ludhiana (hereinafter referred as Tribunal), whereby total compensation of Rs.1,69,500/- along with 12% interest was awarded to the appellants/claimants.

3. Appellants/claimants i.e. husband and minor children of deceased Mohinder Pal Kaur had sought compensation on account of untimely death of Mohinder Pal Kaur. As far as issue No.1 is concerned

regarding involvement of offending vehicle driven by respondent No.1, there



is no challenge to the findings given by learned Tribunal.

4. The present appeal is limited only qua quantum of compensation payable to appellants/claimants on account of death of Mohinder Pal Kaur in accident dated 07.02.1994. It is also not in dispute that deceased was 39 years old and was a housewife survived by three dependents i.e. husband, minor son and minor daughter.

5. I do not find any error in the approach adopted by learned Tribunal in taking notional income of deceased who was a housewife as Rs.15,000/- per annum. It is pertinent to note that minimum wages prevalent for an unskilled worker were Rs.1,153/- per month in 1994. The housewife no doubt contributes much more than an unskilled worker towards her family and, therefore, taking income of Rs.1,250/- per month which is higher than minimum wages payable to unskilled worker cannot be faulted with. The approach of learned Tribunal in considering the notional income of deceased as Rs.15,000/- per annum is upheld.

6. Admittedly, deceased was aged 39 years old. She was in the bracket of 35-40 years and, therefore, the claimants were entitled to application of multiplier of 15 and they shall also be entitled to future prospects to the extent of 40% over the annual notional income determined by Tribunal. Since there are three dependents 1/3rd deduction towards personal expenses has been rightly applied by learned Tribunal. The amount granted towards funeral expenses, consortium and loss of estate Rs.2,000/-, Rs.2,500/- and Rs.5,000/- respectively is totally inadequate. Since accident had taken place in 1994, therefore, the amount of compensation under these



heads as mandated by Hon'ble Supreme Court in ***National Insurance Company Ltd. Versus Pranay Sethi & Ors., SLP (Civil No.25590 of 2014)***, would not be applicable.

7. Accordingly, keeping in view the price index of 1994 and 2017 it would be appropriate to allow compensation of Rs.7,500/- towards funeral expenses, Rs.7,500/- towards loss of estate, Rs.15,000/- towards spousal consortium and Rs.15,000/- towards parental consortium each to claimant No.2 and 3. Petitioners shall be entitled to interest @ 7.5% per annum from the date of filing of claim petition till realization. Apportionment and liability to pay compensation shall be in accordance with award.

8. Appellants/claimants shall be entitled to following compensation :-

Income	Rs.15,000/- per annum	Rs.15,000/- per annum
Future prospects	40% (15,000 + 6,000/-)	Rs.21,000/-
Deduction	1/3rd (21,000 – 7,000/-)	Rs.14,000/-
Multiplier	15	15
Loss of dependency	Rs.13,000 x 15	Rs.2,10,000/-
Spousal consortium	Rs.2,500/- (awarded by Tribunal)	Rs.15,000/-
Filial consortium to claimants No.2 and 3	Rs.2,500/- (awarded by Tribunal)	Rs.30,000/- (Rs.15,000/- x 2)
Loss of estate	Rs.2,500/- (awarded by Tribunal)	Rs.7,500/-
Funeral expenses	Rs.2,000/- (awarded by Tribunal)	Rs.7,500/-
Compensation awarded in appeal		Rs.2,70,000/-
Compensation awarded in Tribunal		Rs.1,69,500/-
Enhanced amount of compensation	Rs.2,70,000/- (amount awarded in appeal) – Rs.1,69,500/- (amount awarded by Tribunal)	Rs.1,00,500/-



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9. The present appeal is disposed of in above terms.

29.10.2025
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned

:

Yes/No

Whether Reportable

:

Yes/No