

FAO-2743-2023 (O&M)

2025.PHHC.162531



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

FAO-2743-2023_(O&M)

Decided on : 20.11.2025

Mandeep Kaur & ors.

....Appellants

Versus

Karamjeet Singh & ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present :- Mr. Aayush Bansal, Advocate for the appellants.

Mr. P.H.S.Pannu, Advocate and
Ms. Rajni Godara, Advocate for respondent No.3

PANKAJ JAIN, J. (ORAL)

CM-9894-CII-2023

This is an application seeking condonation of delay of 69 days in filing the present appeal.

For the reasons recorded in the application, this Court is satisfied that the applicant-appellant has shown sufficient cause to condone the delay in filing the appeal.

Application is allowed. Delay of 69 days in filing the appeal is condoned.

FAO-2743-2023

1 The claimants are in appeal seeking enhancement of compensation awarded by Motor Accidents Claims Tribunal, Sirsa, Haryana.



2 Claimants filed claim petition under Section 166 of the Motor Vehicles Act, 1988 seeking compensation on account of death of Sukhwinder Singh, who died in a motor vehicular accident dated 28.11.2018 at the age of 32. Counsel for the appellants has drawn attention of this Court towards the following observation made in para 32 of the award :-

“32. In addition, claimants will be entitled to Rs.15,000/- for loss of estate, Rs.40,000/- for loss of consortium and Rs.15,000/- for funeral expenses in view of law settled in Parnay Sethi's case (supra).”

3 Referring to the same, he submits that the same needs to be modified in view ratio of law laid down by Supreme Court in the case of ***National Insurance Company Ltd. vs. Pranay Sethi and others, 2017(4) RCR (Civil)1009*** and ***Magma General Insurance Company Ltd., Vs. Nanu Ram @ Chuhru Ram & ors., 2018(4) RCR (Civil) 333.***

4 Counsel for respondent No.3 is not in a position to dispute the legal position.

5 In view thereof, the impugned award is modified to the extent that the claimants will be entitled to Rs.18,000/- for loss of estate and Rs.18,000/- for funeral expenses. Each of the claimants shall also be entitled for Rs.48,000/- for loss of consortium instead of the consolidated amount of Rs.40,000/- as awarded by the Tribunal.

6 The apportionment and interest, on the awarded amount shall abide by the award passed by the Tribunal.



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With the aforesaid modification the appeal is disposed off.
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Pending miscellaneous application, if any, also stands disposed off.

20.11.2025
Pooja Sharma-I

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No