



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

FAO-4252 of 2003 (O&M)

Date of decision: 10.12.2025

Smt. Ram Rati and another

..Appellants

Versus

J & K State Road Transport Corporation, Jammu and others

..Respondents

CORAM: HON'BLE MS. JUSTICE MANDEEP PANNU

Present: Mr. Sandeep Verma, Advocate for the appellants

Ms. Manleen Kaur, Advocate for

Ms. Harveen Kaur, Advocate for respondent no.1

Mr. Paul S Saini, Advocate for respondent No.3-
Insurance Company

MANDEEP PANNU, J.

1. This is claimants' appeal against the award dated 02.04.2003 passed by the Motor Accident Claims Tribunal, Chandigarh (hereinafter referred to as 'Tribunal') whereby compensation of Rs.50,000/- was granted in a claim petition filed under Section 163-A of the Motor Vehicles Act, 1988, on account of death of claimants' son.

2. Seeking enhancement, learned counsel for the appellants relies upon decision rendered by the Supreme Court in **The New India Assurance Company Limited vs. Urmila Halder 2024 SCC Online SC 4983**, wherein Hon'ble Supreme Court held that in a motor vehicular accident, which had taken place prior to amendment in Section 163-A of the Motor Vehicles Act, 1988, which came into



effect by Gazette Notification on 22.05.2018, would also relate to an accident which had occurred prior to the said date.

3. Learned counsel for Insurance Company concedes that claimants will be entitled to compensation of Rs.5,00,000/-, however, since amendment under 'no fault liability' came into force from 01.04.2022 in view of Section 164 of the Motor Vehicles Act, as amended in 2019, interest on the enhanced amount is liable to be paid from 01.04.2022. He places reliance on judgment of a Co-ordinate Bench of this Court in **FAO-108-2003** tilted as **Sukhchain Singh vs. The New India Assurance Company Limited and another** decided on 21.11.2025.

4. After going through the contentions of the learned counsel for the parties and also keeping in view judgment of the Co-ordinate Bench of this Court in **FAO-108-2003** tilted as **Sukhchain Singh vs. The New India Assurance Company Limited and another** decided on 21.11.2025, this Court awards compensation of Rs.5,00,000/- to the claimants under 'no fault liability'. However, they shall be entitled to interest at the rate of 7.5% per annum from the date when the amendment came into force i.e 01.04.2022 till actual realization and not from the date of filing of the claim petition.

5. Accordingly, the appeal stands partly allowed.

6. All the pending miscellaneous applications, if any, are also disposed of.

10.12.2025

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

(MANDEEP PANNU)
JUDGE