



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

FAO-4876-2023

Date of decision : 09.12.2025

Jasbir Kaur and others

... Appellants

Versus

Varuna Integrated Logistics Pvt. Ltd. and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.B.S.Jaswal, Advocate for the appellants.

Mr.Punit Jain, Advocate for respondent no.3.

VIKAS BAHL, J.(ORAL)

1. The widow, two minor children and mother of the deceased- Gurdeep Singh have filed the present appeal for enhancement. The Motor Accident Claims Tribunal vide order dated 18.04.2023 had awarded an amount of Rs.22,63,750/- to the appellants on account of compensation on account of death of the said Gurdeep Singh in a motor vehicular accident.

2. The only issue which arises for consideration is as to whether the appellants are entitled to any additional compensation or not as the other aspects have not been disputed before this Court.

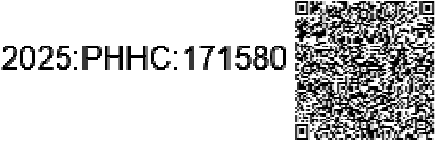
3. Learned counsel for the appellants has submitted that in the present case, neither the mother nor the two minor children have been granted any amount on account of loss of consortium, and thus, an amount of Rs.1,44,000/- (Rs.48,000 x 3) is required to be awarded to the appellants



on the said account. It is submitted that even the amount awarded on account of loss of consortium to the widow is Rs.40,000/-, whereas an amount of Rs.48,000/- should have been awarded on the said count. Learned counsel for the appellants has further submitted that amount on accounts of funeral expenses as well as loss of estate have been awarded as Rs.15,000/- each to the appellants, whereas, an amount of Rs.18,000/- each was required to be awarded to the appellants. It is submitted that thus, an additional amount of compensation of Rs.1,58,000/- is to be awarded to the appellants at the rate of 9% per annum. In support of his arguments, learned counsel for the appellants has relied upon the law laid down by the Hon'ble Supreme Court in cases titled as ***Sarla Verma (Smt.) and others Vs. Delhi Transport Corporation and another*** reported as ***(2009) 6 SCC 121***, ***National Insurance Company Limited Vs. Pranay Sethi and others*** reported as ***(2017) 16 SCC 680***, and ***Magma General Insurance Company Limited Vs. Nanu Ram alias Chuhru Ram and others*** reported as ***(2018) 18 SCC 130***.

4. Learned counsel for respondent no.3-insurance company has submitted that the interest which is sought to be applied by the present appellants is highly excessive and the highest rate of interest which can be granted on the additional compensation is 6% per annum.

5. This Court has heard learned counsel for the appellants and learned counsel for respondent no.3 and has perused the paper book and finds that the amount which is claimed by the appellants have been rightly



claimed by the appellants except the rate of interest.

6. In the present case, there are admittedly four claimants there being a widow, old mother and two minor children of the deceased. In view of the settled law, even the two minor children and the old mother are entitled to consortium which have not been granted by the Tribunal. Thus, an amount of Rs.1,44,000/- (Rs.48,000 x 3) is required to be granted to the appellants on the said account. Even the widow who is appellant no.1 has been awarded only Rs.40,000/- on account of loss of consortium and thus an additional amount of Rs.8000/- is required to be awarded to the appellants on the said account. The appellants further are required to be paid an additional amount of Rs.6000/- as the amount awarded by the Tribunal on account of loss of estate and funeral expenses is Rs.15,000/- each instead of Rs.18,000/- each and thus, the appellants are entitled to additional amount of compensation of Rs.1,58,000/-.

7. Keeping in view the above said facts and circumstances, the present appeal is partly allowed and the award dated 18.04.2023 is modified and respondent no.3 is directed to pay an additional amount of compensation of Rs.1,58,000/- to the appellants 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

December 09, 2025.
Davinder Kumar

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