



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

**Sr. No.122**

**FAO-4486-2018**

**Date of Decision: 12.12.2025**

**RAM SINGH AND OTHERS**

**....Appellants**

**Versus**

**SABIR KHAN AND ANOTHER**

**.....Respondents**

**CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI**

Present:- Mr. Raman Mohinder Sharma, Advocate  
for the appellants.

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**ARCHANA PURI, J. (Oral)**

The present appeal has been filed by the appellants/claimants, for seeking enhancement of compensation, awarded by learned Motor Accident Claims Tribunal, on account of death of Jora Singh, in a motor vehicular accident, which took place on 08.04.2015.

Perusal of the impugned Award reveals that liability fastened upon the respondents is joint and several.

As such, notice issued only to respondent No.2-Insurance Company.

Mr. Sanjeev Kodan, Advocate, accepts notice on behalf of the Insurance Company.

At this stage, counsel for the appellants submits that he does not dispute about the extent of earnings, taken by learned Tribunal and work on of the compensation, on the basis thereof. However, he confines his prayer

only for enhancement of compensation, under the conventional heads.



From the contents of the impugned Award, it is evident that the deceased-Jora Singh, was 33 years old. Even though, he was asserted to be indulging in the agriculture work and also running the combine, but however, no evidence has come on record and as such, learned Tribunal had considered the earnings of the deceased as Rs.9,000/- per month, as a labourer. Thereupon, addition to the extent of 40%, on the count of 'future prospects', was made and while doing so, the compensation was worked upon as Rs.18,14,400/-. The counsel does not dispute about the extent of 'loss of dependency', as worked upon by learned Tribunal. However, under the count of 'loss of estate', 'loss of consortium' and 'funeral expenses', compensation was awarded to the extent of Rs.15,000/-, Rs.40,000/- and Rs.15,000/-, respectively and as such, the total compensation awarded was Rs.18,84,400/- (Rs.18,14,400 + Rs.15,000/- + Rs.40,000/- + Rs.15,000/-).

However, under the conventional heads, the compensation do call for enhancement. As per '*National Insurance Company Limited Vs. Pranay Sethi and others*' 2017(4) RCR (Civil) 1009, the base amount on the count of 'loss of consortium' was Rs.40,000/-, with clause of 10% increase, after every 3 years, after passing of the judgment. Considering the same, the amount payable is Rs.48,400/-. As per '*Magma General Insurance Co. Ltd. Vs. Nanu Ram @ Chuhru Ram and others*' 2018 (4) RCR (Civil) 333, all the dependents are entitled to filial, spousal and parental compensation, on the count of 'loss of consortium'. As such, the amount payable under the said count is Rs.2,42,000/- (Rs.48,400/- x 5). Similarly, on the count of 'loss of estate' and 'funeral expenses', the amount payable, as per Pranay Sethi's case (supra) is Rs.18,150/- on each count i.e. Rs.36,300/-. As such, the



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appellants are entitled to enhancement of an amount of Rs.2,78,300/- (Rs.2,42,000/- + Rs.18,160/- + Rs.18,160/-).

Counsel for the Insurance Company does not dispute about the extent of compensation, as worked upon aforesaid, under the conventional heads.

After deducting an amount of Rs.70,000/- (Rs.40,000 – Rs.15,000 – Rs.15,000/-), which has already been awarded by learned Tribunal, from Rs.2,78,300/-, the appellants are entitled to enhanced amount of Rs.2,08,300/-. The said amount be apportioned amongst all the appellants equally. The enhanced amount shall be payable by the Insurance Company by way of cheques in the names of the appellants, within a period of 45 days. On the enhanced amount, the appellants shall be held liable to the interest @ 6% per annum, from the date of filing of the appeal. In case of any default on the part of the Insurance Company, to make the payment in the given period, it shall be liable to pay penal interest @ 8% per annum, till realization.

In view of the aforesaid terms, the FAO stands allowed.

**12.12.2025**

Himanshu Vats

**(ARCHANA PURI)  
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : Yes/No