IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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FAO-1464-2021
Date of decision : 10.12.2025

Ranjit Kaur and others ...... Appellants

versus

Ranjit Singh and others ...... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Nitin Batta, Advocate
for the appellants (through V.C.).

Mr. Gopal Mittal, Advocate
for respondent No.3-Insurance company.

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PANKAJ JAIN, J. (Oral)

1. Claimants seek enhancement of compensation by way of modification of the order dated 01.07.2019 passed by MACT, Patiala.

2. Tribunal while assessing compensation observed as under:-

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> 11. So far as the quantum of compensation is concerned, the applicants have alleged that the deceased had been working as an electrician with M/s Salil Wires, Focal Point, Nabha and had been getting salary of Rs.20,000/- per month. However, CW1 Ram Bhallabh Singla, the owner of M/s Salil Wires has stated that the deceased had been working as labourer in his factory and was getting wages @ Rs.7500/- per month. He has produced the vouchers regarding disbursement of salary for the months of April, 2017, May, 2017, July, 2017, August, 2017 and September, 2017 Ex.C2 to Ex. C6. Under these circumstances, it is proved that the monthly income of the deceased was Rs.7500/- per month. The deceased was aged about 47 years as mentioned in his postmortem report Ex.C8. Under these circumstances, in view of the law laid down by the Hon'ble Apex Court in **National Insurance Company vs. Pranay Sethi and others, 2017 ACJ 2700 (SC)**, an addition to the extent of 25% requires to be made

towards the future prospects and therefore the monthly income of the deceased for the purpose of assessment of compensation comes to Rs.9,375/-. Since the deceased has left behind his widow and three children, therefore a cut to the extent of 1/4th requires to be applied towards the personal and living expenses of the deceased and the monthly dependency of the applicants on the deceased comes to Rs.7,031.25 paise. By applying the multiplier of 13, the amount of compensation towards pecuniary loss comes to Rs.10,96,875/-. The medical bills Ex.C9 to Ex.C25 indicate that an amount of Rs. 53,074/- was spent on the treatment of the deceased and therefore the applicants are also entitled to get the said amount. Besides the said amount, the applicant no.1 is entitled to Rs.40,000/- towards loss of consortium. The applicants are entitled to Rs.15,000/- towards loss of estate and Rs.15,000/-towards funeral expenses and the total amount of compensation comes to Rs.12,19,949/-, which is rounded off to **Rs.12,19,950/-**."

3. In the considered opinion of this Court, Tribunal awarded loss of consortium only to the widow and denied the same to claimants No.2 to 4, i.e. children of the deceased Ranjeet Singh.

4. Accordingly, the award is modified to the following effect:-

(i) Each of the claimants is entitled for Rs.48,000/- on account of loss of consortium;

(ii) Rs.15,000/- awarded by the Tribunal towards loss of estate is enhanced to Rs.18,000/-; and

(iii) Rs.15,000 awarded towards funeral expenses is also enhanced to Rs.18,000/-.

5. Rest of the award is maintained. Apportionment and the interest shall abide by the observations made by the Tribunal.

6. Disposed off accordingly.

(PANKAJ JAIN)
JUDGE

10.12.2025
Dinesh

Whether speaking/reasoned : Yes
Whether Reportable : No