

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

FAO-5416-2025

Date of decision: 05.12.2025

Meena and others**...Appellants**

Versus

Joginder and another

...Respondents**CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA**

Present: Mr. Surinder Singh Duhan, Advocate
for the appellants.

DEEPAK GUPTA, J. (ORAL)

The present appeal has been preferred by the widow, minor children and aged father of Ramesh Kumar, son of Sudhan, who lost his life in a motor vehicular accident that occurred on 01.05.2023 due to the rash and negligent driving of car bearing registration No. HR15B-6377.

2. The claim petition filed under Section 166 of the Motor Vehicles Act, 1988, sought compensation from the driver-cum-owner of the offending vehicle and its insurer. Vide award dated 12.08.2025, the learned Tribunal assessed compensation at ₹ 23,85,668/-, with interest @ 6% per annum, to be paid jointly and severally by the respondents.

3. Seeking enhancement, Learned counsel for the appellants contends that the compensation awarded by the Tribunal is inadequate and that the Tribunal should have granted interest at a rate higher than 6% per annum.

4. This Court has perused the award passed by the Tribunal. The income of the deceased, who was employed as a Primary Teacher earning ₹13,090/- per month, and his age of 43 years at the time of the accident, have not been disputed. The Tribunal has correctly added 25% towards fu-



1009, which provides for addition of 25% in case of a deceased, who was not a permanent employee aged between 40 and 50 years.

5. Considering that there were five dependents, the Tribunal has rightly applied a 1/4th deduction towards personal expenses, as mandated in ***Sarla Verma & others v. Delhi Transport Corporation & another, (2009) 6 SCC 121***. The multiplier of 14 applied by the Tribunal is also strictly in consonance with the aforesaid judgment.

6. Furthermore, the Tribunal has awarded spousal consortium, parental consortium and filial consortium to the respective claimants, in line with the guidelines laid down in ***Pranay Sethi*** and subsequently clarified in ***Magma General Insurance Co. Ltd. v. Nanu Ram alias Chuhru Ram and others, (2018) 18 SCC 130***. Amounts under loss of estate and funeral expenses have also been duly granted, following settled legal standards.

7. During the course of arguments, learned counsel for the appellants was unable to point out any specific error in computation or any head under which the Tribunal failed to award compensation. Nor could he establish that the compensation was on the lower side in light of the applicable statutory and judicial principles.

8. Having failed to demonstrate any error in the quantum, learned counsel for the appellants alternatively prayed for enhancement of the rate of interest awarded on the compensation amount.

9. This Court finds no justification or compelling circumstances to enhance the interest rate beyond 6% per annum, which the Tribunal awarded in its discretion. The rate awarded is in consonance with prevailing judicial trends, wherein the Courts have generally awarded interest between 6% and 9%, depending on the facts and circumstances of each case. No reason has been shown to warrant deviation from the Tribunal's discretion.



10. In view of the above discussion and the absence of any legal infirmity or perversity in the award, no ground for interference is made out. The appeal therefore stands dismissed.

05.12.2025

Yogesh

(DEEPAK GUPTA)
JUDGE

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