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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

FAO No.1087 of 2022
Date of decision : 10.03.2026

Bala Devi and another
Versus
....Appellants

Talwinder Singh and others
....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : None for the appellants.

Mr. Paul S. Saini, Advocate
for respondent No.3.

PANKAJ JAIN, J. (ORAL)

The claimants are in appeal seeking enhancement of compensation awarded by MACT, Yamuna Nagar in a petition filed under Section 166 of the Motor Vehicles Act, 1988.

2. Claimants filed claim petition seeking compensation on account of death of their son Shubham in a motor-vehicular accident, who died at the tender age of 15 year.
3. Shubham was studying in 9th standard. Tribunal assessed his income notionally as Rs.30,000/- per annum and awarded compensation as under:

Sr. No.	Heads	Calculation (in Rs.)
(i)	Expenses incurred on transportation and medical expenses prior to death.	Rs.43,260/-
(ii)	Notional income	Rs.30,000/- PA.
(iii)	Compensation after multiplier of '15' is	30000/- x 15

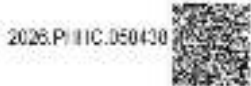


	applied	4,50,000/-
(iv)	Funeral expenses	15,000/-
(vi)	Filial consortium	40,000/-
Total compensation awarded		(Rs.5,48,260/-)

4. As per settled law, in the case of death of a minor, his income has to be assessed notionally on the basis of minimum wages notified by State. Date of accident is 20.05.2017. On the said date, the State of Haryana notified minimum wages for a skilled worker as Rs.9,128/- per month.

5. In the light of ratio of law laid down by Supreme Court in the case of **Smt. Sarla Verma and others vs. Delhi Transport Corporation and another, (2009) 6 SCC 121, National Insurance Company Limited vs. Pranay Sethi and others, (2017)16 SCC 680 and Magma General Insurance Company Limited vs. Nanu Ram alias Chuhru Ram and others – Civil Appeal No.9581 of 2018, decided on 18.09.2018**, the compensation is accordingly, re-worked as under:

Sr. No.	Heads	Calculation
(i)	Expenses incurred on transportation and medical expenses prior to death.	Rs.43,260/-
(ii)	Notional income	Rs.9,128/- per month (rounded off as Rs.9,200/- per month) Rs.9,200 x 12=Rs.1,10,400/-
(iii)	Compensation after multiplier of ‘18’ is applied	Rs.1,10,400/- x 18=Rs.19,87,200/-
(iv)	Funeral expenses	Rs.18,000/-
(v)	Loss of estate	Rs.18,000/-
(vi)	Filial consortium	Rs.48,400/- x 2 = 96,800/-



- 6. Rest of the award is maintained.
- 7. Needless to say, anything paid to the claimants/appellants in execution of the award, shall be adjusted and set off.
- 8. With the aforesaid modification in the impugned award, the appeal is disposed off.

March 10, 2026			(Pankaj Jain)
Dpr			Judge
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No