

**FAO No.1876 of 2020****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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FAO No.1876 of 2020

Date of decision: May 20th, 2026

Anita and others

...Appellants

Versus

Vikram Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHLPresent: Mr. Harinder Malik, Advocate
for the appellants.Mr. Punit Jain, Advocate
for respondent No.2.**VIKAS BAHL, J. (ORAL)**

1. The widow, minor sons and parents of Sube Singh, who had died in a motor vehicular accident, have filed the present appeal for enhancement of compensation. The Tribunal vide award dated 11.09.2019 had awarded an amount of ₹15,06,584/- along with interest as compensation on account of death of said Sube Singh. The only issue that arises in the present appeal is as to whether the appellants are entitled to enhancement of the said compensation, as the other aspects have not been disputed before this Court.

2. Learned counsel for the appellants has submitted that in the present case, there are five claimants and after taking into consideration the 10% increase after every three years, the appellants are entitled to an amount of ₹48,000/- each on account of loss of consortium but only an amount of ₹40,000/- each has been granted and thus, the appellants are entitled to an



amount of ₹40,000/- (8000 X 5) as additional compensation on the said aspect. It is further pointed out that no amount on account of loss of estate has been given and even the amount granted on account of funeral expenses i.e. ₹15,000/- is on the lesser side. It is submitted that an amount of ₹21,000/- (18000 + 3000) on the said two counts is also payable to the appellants. It is submitted that thus a total additional compensation of ₹61,000/- is payable to the appellants. It is further argued that interest at the rate of 9% be granted on the said additional amount. 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 *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*.

3. Learned counsel for respondent No.2, on the other hand, has submitted that the interest sought to be charged by the appellants is highly excessive and the highest rate of interest that should be granted is 6% per annum.

4. This Court has heard learned counsel for the parties and has perused the paper book.

5. The amounts claimed by the appellants except the rate of interest are in accordance with law.

6. In the facts and circumstances of the present case, each of the claimants are entitled to ₹48,000/- each on account of loss of consortium, whereas the Tribunal has awarded an amount of ₹40,000/- each on the said



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count and thus, the appellants on the said count are entitled to compensation of ₹40,000/-. A further amount of ₹21,000/- on account of loss of estate and enhanced amount on account of funeral expenses is payable to the appellants and thus, the appellants are entitled to an additional compensation of ₹61,000/-.

7. Keeping in view the abovesaid facts and circumstances, the present appeal is partly allowed and the award dated 11.09.2019 passed by the Motor Accidents Claims Tribunal is modified and respondent No.2- Insurance Company is directed to pay an amount of ₹61,000/- 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.

May 20th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned: Yes

Whether reportable: No