



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

FAO-1151-2001

Date of Decision:09.02.2026

MANJIT KAUR

....Appellant

Versus

SURINDER SINGH & ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Simranjit Singh, Advocate for
Mr. H. S. Dhandi, Advocate
for the appellant.

Mr. Vijay Lath, Advocate and
Mr. Naveen Sharma Moudgil, Advocate
for respondent No.1.

Mr. Sanjiv Pabbi, Advocate
for respondent No.3-Insurance Company.

Parmod Goyal, J. (Oral)

Present appeal has been preferred by the appellant-claimant being wife, of the deceased-Ranjit Singh (hereinafter referred to as the 'deceased'), who died in motor vehicular accident which took place on 03.02.1995, on account of rash and negligent driving by respondent No.1 while driving truck bearing registration No.HPG-2945.

2. Being aggrieved by the impugned award dated 01.02.2000, passed by the Motor Accident Claims Tribunal, Ludhiana (hereinafter referred to as '**Tribunal**'), vide which the appellant-claimant were found entitled to total compensation of Rs.2,50,000/-, the appellant-claimant are seeking enhancement of compensation awarded by the Tribunal as the same is not accordance with their entitlement.

3. Since in present appeal the only issue raised by appellants-claimants is as regards to quantum of compensation and there is no appeal or cross-objection preferred by respondents to challenge manner of accident, the detailed facts as regards to manner of accident are not being noticed for the sake of brevity.

4. The Tribunal in the present case had awarded the following compensation:

Income of deceased	Rs.3,000/- per month
Deduction 1/3 rd (3,000-1,000)	Rs. 2,000/-
Multiplier	10
Total loss of Income & awarded compensation (2,000 x12 x 10)	Rs. 2,40,000/- rounded of to Rs.2,50,000/-

5. Learned Counsel for claimant-appellant has sought enhancement in compensation on following grounds that:

- Future prospects were not added while determining loss of dependency. Future prospects to the extent 40% of monthly income needs to be added as the deceased was 28 years of age at the time of accident.
- Multiplier applied by learned Tribunal is ‘10’ whereas, keeping in view the age of deceased the multiplier of ‘17’ ought to have been granted.
- Appropriate compensation amount needs to be granted under the heads loss of consortium, funeral expenses and loss of estate in accordance with law laid down by Hon’ble Supreme Court.

6. *Per contra*, learned counsel for respondent No.3 has argued that sufficient amount has already been given as compensation in the present

case and there is no scope of any enhancement.

7. PW1-Harwinder Singh proprietor of M/s Simran Pagri Centre, Ghumar Mandi has stated that deceased was working with him as a Salesman and was earning Rs.2,800/- per month as per salary certificate Ex.P1. PW2- Amandeep Singh proprietor of M/s J.H. Agencies, Karimpura Ludhiana had also stated that deceased was working as a commission agent with him in the year 1994-95 and was earning Rs.10,225/- per annum as per salary certificate Ex.P2.

8. Learned counsel for the appellant/claimant has fairly admitted that learned Tribunal has rightly taken income of deceased to be Rs.3,000/- per month. He is also not challenging deduction of 1/3rd applied by learned Tribunal. He is however aggrieved by wrong application of multiplier of '10', non-consideration of future prospects while calculating loss of dependency, in view of fact that deceased aged 28 years was married and was survived by wife and parents.

9. On consideration, I find that as deceased was survived by wife and parents, the learned Tribunal has rightly made deduction of 1/3rd towards personal expenses of deceased. Claimant/appellant had claimed that deceased was working in two firms as a salesman and commission agent and earning Rs.4,000/- (approx.) per month. However, learned Tribunal had taken income of deceased as Rs.3,000/- per month with which appellant/claimant is satisfied and no challenge is being raised over the same. I also find merit in the contention raised on behalf of learned counsel for the appellant/claimant that deceased was 28 years old, therefore, multiplier ought to have been applied by learned Tribunal keeping in view

the age of deceased and not the age of parents.

10. Appellant/claimant is accordingly held entitled to multiplier of ‘17’ for determining loss of dependency since the deceased was 28 years old at the time of accident. Similarly, in view of **National Insurance Company Ltd. Vs. Pranay Sethi & Ors.**, 2017 (16) SCC 680, the appellant-claimant is also entitled to addition of 40% towards future prospects. Appellant-claimant would be entitled to Rs.7,500/- towards loss of estate, Rs.7,500/- towards funeral expenses and the appellants-claimants would also be entitled to Rs.15,000/- each towards loss of filial as well as spousal consortium.

11. Re-worked compensation is as under:-

Income of deceased	Rs.3,000/- per month	Rs.3,000/- per month
Future prospects	40% (3,000+1,200)	Rs.4,200/-
Deduction	1/3rd (4,200-1,400)	Rs.2,800/-
Multiplier	17	17
Total Loss of Dependency	Rs.2,800x12x17	Rs.5,71,200/-
Funeral expenses		Rs.7,500/-
Loss of estate		Rs.7,500/-
Loss of Spousal Consortium		Rs.15,000/-
Loss of Filial consortium	Rs.15,000x2	Rs.30,000/-
Total compensation awarded by Tribunal	Rs.2,50,000/-	
Total Compensation awarded in appeal		Rs.6,31,200/-
Enhanced amount of Compensation	Rs.6,31,200/-(awarded in appeal)- Rs.2,50,000/-(awarded by Tribunal)	Rs.3,81,200/-

12. The appellants-claimants shall also be entitled to interest at the rate of 7.5% per annum on the enhanced amount from the date of filing of claim petition till realization. The apportionment of compensation and the

claim petition till realization. The apportionment of compensation and the liability to satisfy the award shall remain the same as determined by the learned Tribunal.

- 13. Hence, appeal is allowed in above terms.
- 14. Pending application(s), if any, is/are disposed of accordingly.

09.02.2026
Ravinder

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No