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

**(106)** **FAO-1580-2001(O&M)**
**Date of Decision-28.04.2026**

KESHO RAM AND ANOTHER … APPELLANTS

VERSUS

DASHMESH TRAVELS AND OTHERS … RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present: Mr. Sanjay Jain, Advocate
for appellants.

Mr. Parunjeet Singh, Advocate
for respondent No.4/Insurance Company.

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**VIRINDER AGGARWAL, J.(ORAL)**

1. The present appeal has been preferred by the claimants seeking enhancement of the compensation awarded vide award dated 08.09.2000 passed by the learned Motor Accident Claims Tribunal, Panchkula, on account of the death of Sonu in a motor vehicular accident.

**BACKGROUND FACTS**

2. The brief facts of the case are that on 27.07.1997, the deceased Sonu was travelling in bus bearing registration No. CHW-6015, returning to Chandigarh. When the bus reached near village Mohra on the Shahbad-Ambala road, a truck approaching from the opposite direction came in close proximity. Due to rash and negligent driving, the bus driver lost control over the vehicle and collided with the rear portion of the said truck. As a result of the impact, the deceased, who was seated near the window of the bus, sustained fatal injuries and died at the spot. Subsequently, the legal representatives of the deceased filed a claim petition under Section 166 of the Motor Vehicles Act, 1988,

seeking compensation on account of his untimely death. Upon appreciation of the oral as well as documentary evidence available on record, the learned Motor Accident Claims Tribunal awarded a total compensation of ₹1,20,000/- along with interest at the rate of 12% per annum from the date of filing of the claim petition till its realization, holding all the respondents jointly and severally liable.

**CONTENTIONS**

3. Learned counsel for the appellants has argued that the compensation awarded by the learned Tribunal is inadequate and not in consonance with the settled principles for determination of "just compensation" under the Motor Vehicles Act. It is contended that the learned Tribunal failed to apply the appropriate multiplier, thereby resulting in a diminished assessment of compensation. It is further submitted that no addition on account of future prospects has been granted, which is contrary to the law laid down by the Hon'ble Supreme Court. Additionally, the amounts awarded under the conventional heads are stated to be on the lower side. On these premises, it is prayed that the compensation be suitably enhanced.

4. Learned counsel for the respondent No.4 supported the award of the learned Tribunal, contended that the award had been passed after a proper and thorough appreciation of the evidence on record and therefore, did not warrant any interference by this Court.

**OBSERVATIONS AND FINDINGS**

5. I have heard learned counsel for the parties and perused the complete records. On due consideration of the findings recorded by the learned Tribunal, particularly on the issue of negligence and fastening of liability, I find no reason to take a different view. The findings on those aspects are accordingly affirmed.

However, the core issue arising in the appeal pertains to the reassessment of the quantum of compensation.

6. Compensation requires reassessment strictly in terms of the principles laid down by Hon'ble the Supreme Court in ***National Insurance Co. Ltd. v. Pranay Sethi, (2017) 16 SCC 680, Magma General Insurance Co. Ltd. v. Nanu Ram alias Chuhru Ram, 2018 (18) SCC 130 and Sarla Verma v. DTC, (2009) 6 SCC 121,*** wherein the framework for computation of "loss of dependency" by addition towards future prospects as per the nature of employment, deducting personal expenses of deceased, and applying appropriate multiplier on the basis of age of the deceased, and standardized amounts for conventional heads such as loss of estate, funeral expenses and loss of consortium, has been settled. The present matter, therefore, call for recalculation of the amount under each of these heads by applying the correct deduction on basis of dependency and correct multiplier relatable to the age of the deceased and by granting the admissible sum towards consortium and other conventional heads as mandated in the aforesaid decisions. The reassessment is structured as under:

**REASSESSED COMPUTATION**

| **Particulars** | **Award by Tribunal (₹)** | **Reassessed Award (₹)** |
|---|---|---|
| Monthly Income | 1800 | **1,800/-** |
| Income With Future Prospects (25%) | x | **2,250/-<br>(1,800 + 450)** |
| After Deduction (Unmarried) | 1,200 | **1,125/-<br>(50% for personal expense )** |
| Annual Contribution To Family | 14,400<br>(1,200 x 12) | **13,500/-<br>(1,125 x 12)** |
| Multiplier **(age 45 yrs)** | 8 | **14** |
| Loss Of Dependency | 1,15,200<br>(14,400 x 8) | **1,89,000/-<br>(13,500 × 14)** |
| Filial Consortium | x | 80,000/- |

| | | |
|---|---|---|
| Funeral Expenses | 2,000 | 15,000/- |
| Loss Of Estate | 2,500 | 15,000/- |
| Total | 1,20,000/- | **₹2,99,000/-** |

7. Resultantly, the compensation awarded by the learned Tribunal is enhanced from ₹1,20,000/- to **₹2,99,000/-**. The enhanced amount shall carry the interest at rate of 7% per annum from the date of filing of the claim petition till realization. All the respondents are held jointly and severally liable to pay the aforesaid enhanced compensation to the claimants.

8. The appeal is accordingly partly **allowed** with modification of the award to the above extent. All other conditions of the award, not inconsistent with this judgment, shall remain unaltered.

9. Since the main case has been decided, pending miscellaneous application(s), if any, stands also disposed of.

**(VIRINDER AGGARWAL)**
**JUDGE**

**28.04.2026**
***POONAM***

*(i) Whether speaking/reasoned : Yes/No*
(ii) Whether reportable : Yes/No