



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

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FAO-3744-2001

Date of decision :15.01.2026

SWARAN SINGH & OTHERS

...APPELLANTS

VERSUS

MALKIAT SINGH & OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Ms. Ekta Thakur, Advocate
for the appellants.

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL**PARMOD GOYAL, J.**

1. Present appeal has been preferred by the claimants-appellants being the wife and children of the deceased, Arjun Singh (hereinafter referred to as the "Deceased"), who died in a road accident which took place on 01.10.1999, on account of rash and negligent driving by Respondent No. 1 while driving bus bearing registration No. CH – 01-G-5538.
2. Being aggrieved by the impugned award dated 18.08.2001, passed by the Motor Accident Claims Tribunal, Chandigarh (hereinafter referred to as "Tribunal"), vide which the claimants-appellants were found entitled to total compensation of Rs 1,84,800/-, the claimants-appellants are seeking enhancement of compensation awarded by the Tribunal as the same is not accordance with their entitlement.



3. Since the factum of the accident is not in dispute, the facts, as recorded in the impugned award passed by the Tribunal are not being adverted to herein for sake of brevity.

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

Monthly Income	Rs. 2,100/- per month	Rs. 2,100/- per month
Deduction	1/3 rd (2100-700)	Rs. 1,400/-
Multiplier	11	11
Total Loss of Dependency	Rs. 1,400x12x11	Rs. 1,84,800/-
Total Compensation awarded		Rs. 1,84,800/-

5. Learned Counsel for the claimants-appellants has not challenged the income as assessed however, has asserted compensation to be inadequate as no addition has been made by the Tribunal towards future prospects which ought to be 25% in terms of judgment of Hon'ble Supreme Court in ***National Insurance Company Ltd. Vs Pranay Sethi & Ors, 2017 (16) SCC 680***. Since the age of the deceased was 45 years, multiplier of '14' ought to be applied as per the case in ***Smt. Sarla Verma and Others vs. Delhi Transport Corporation & Anr, 2009 (2) SCC (Civil) 770***. Amounts under conventional heads i.e loss of estate, funeral expenses, loss of consortium are also not adequate.

6. In the present case, since no challenge has been raised by the learned counsel for the claimant-appellant to the income of the deceased as assessed by the Tribunal, the same is accordingly upheld. Since the deceased was about 45 years of age at the time of accident, a multiplier of '14' would be applicable instead of '11' as per the law laid down by Hon'ble Supreme Court in case of ***Smt. Sarla Verma and Others vs. Delhi Transport Corporation***



& Anr, 2009 (2) SCC (Civil) 770. The Tribunal has not made any addition towards loss of future prospects. In the present case since the deceased was 45 years of age, an addition of 25% would be applicable as per the law laid down by Hon'ble Supreme Court in case of **National Insurance Company Ltd. Vs Pranay Sethi & Ors, 2017 (16) SCC 680.** The claimants-appellants shall also be entitled to compensation of Rs. 7,500/- towards funeral expenses, Rs 7,500/- loss of estate and Rs 15,000/- to each of the claimants-appellants towards spousal and parental consortium.

7. Accordingly, the reworked compensation to which the claimants – appellants are entitled to is as under:

Income	Rs. 2,100/- per month	Rs. 2,100/- per month
Future Prospects	25% (2100+525)	Rs. 2,625/-
Deduction	1/3 rd (2625-875)	Rs. 1,750/-
Multiplier	14	14
Total loss of dependency	Rs. 1,750x12x14	Rs. 2,94,000/-
Loss of Estate		Rs. 7,500/-
Funeral Expenses		Rs. 7,500/-
Loss of Spousal Consortium to claimant No. 3		Rs. 15,000/-
Loss of Parental consortium to claimant nos. 1& 2	Rs. 15,000/- X 2	Rs. 30,000/-
Total Compensation awarded in appeal		Rs. 3,54,000/-
Total Compensation awarded by the Tribunal		Rs. 1,84,000/-

Enhanced amount of compensation	Rs. 3,54,000/- (as awarded in appeal) – Rs.1,84,000/- (as awarded by Tribunal)	Rs. 1,70,000/-
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8. Claimants shall also be entitled to interest at the rate of 7.5% per annum from the date of filing of petition till realization on enhanced compensation. Apportionment and liability of respondents to pay compensation shall be as per the award.
9. In view of the decision by the Hon’ble Supreme Court in **Parminder Singh Vs. Honey Goyal & Ors.** AIR 2025 SC 1713, after calculation of the enhanced amount the same be transferred by respondent No. 3 Insurance Company in the bank account (s) of the claimants-appellants within a period of six weeks from today. The particulars of the bank account (s) along with requisite documents in support thereof shall be furnished by the claimants-appellants to respondent No.3 – Insurance company within a period of two weeks from today and needful shall be done by respondent no.3 – Insurance Company after verification thereof within a period of four weeks thereafter along with up-to-date interest.
10. In view of the above discussion, the award passed by the Tribunal is modified and the present appeal stands allowed accordingly. Pending applications, if any, also stand disposed of.

15.01.2026
Manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No