

2026:PHHC:057995



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

103

**FAO-2335-2022 (O&M)
Date of decision :17.04.2026**

KELO

... APPELLANT

VERSUS

SURESH KUMAR AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: None.

PARMOD GOYAL, J. (ORAL)

CM-6784-CII-2022

This is an application for condonation of delay of 30 days in filing the present appeal.

For the reasons mentioned in the application, the same is allowed and the delay of 30 days in filing the present appeal, is hereby condoned.

Main Case

1. Despite due service having been effected on the appellant-claimant, neither the appellant-claimant nor his counsel have appeared. It appears that the appellant-claimant has lost interest in prosecuting the case. However, since the present is a first appeal against the impugned award dated 20.12.2021 passed by the Motor Accident Claims Tribunal, Mansa (hereinafter referred to as 'Tribunal'), vide which compensation of Rs. 3,15,200/- was awarded to appellant-claimant, it is considered appropriate to decide the case on merits

without any assistance from counsels.

2. A claim petition under Section 166 of the Motor Vehicles Act, 1988 was preferred by the mother of deceased Rampal (hereinafter referred to as ‘deceased’) seeking compensation for the untimely death of the deceased in motor vehicular accident dated 26.06.2018, allegedly caused by rash and negligent driving of respondent No. 1 while driving Maruti Car bearing registration No. HR-03-U-7677.

3. Since, in the present case, the only issue pertains to enhancement of compensation, the facts with regard to the manner of the accident are not being reiterated for the sake of brevity.

4. The learned Tribunal had awarded the following compensation to the appellant-claimant:

Income	Rs.9,000/- per month.
40% future prospects	Rs.12,600/- per month (9000+3600)
50% deduction	Rs.6,300/- per month (12600-6300).
Multiplier	17
Total loss of dependency	Rs. 12,85,200/- (Rs. 6,300 x 17 x 12)
Loss of estate	Rs.15,000/-
Funeral expenses	Rs.15,000/-
TOTAL COMPENSATION AWARDED	Rs. 13,15,200/-

5. The award has been challenged primarily on the ground that future prospects have not been properly applied, particularly when the deceased was aged 28 years and was a bachelor. It has further been contended that the rate of interest @ 6% per annum is on the lower side and ought to have been awarded

@ 18% per annum, considering that the Motor Vehicles Act, 1988 is a beneficial legislation. Enhancement of compensation under all other heads has also been prayed for.

6. Admittedly, as per the case set up by the appellant-claimant, the deceased was a bachelor aged 28 years and working as a tailor earning ₹17,000/- per month under one Makhan Singh. However, except for self-serving oral assertions, no cogent evidence has been placed on record to substantiate the vocation and income of the deceased. In the absence of any documentary or reliable evidence, the learned Tribunal has rightly discarded such assertions and assessed the income of the deceased on the basis of minimum wages prevalent at the time of the accident.

7. In the year 2018, the minimum wages for an unskilled worker were ₹7,852/- per month. However, the learned Tribunal assessed the income of the deceased at ₹9,000/- per month, which is higher than the minimum wages prevalent at the time of the accident. Therefore, the approach of the learned Tribunal in taking the income of the deceased even above the minimum wages cannot be faulted with.

8. It is further observed that the learned Tribunal has correctly applied the multiplier of '17' and has added 40% towards future prospects. Deduction towards personal expenses has rightly been made to the extent of 50%, as the deceased was a bachelor, survived by his mother. Thus, the application of multiplier, addition towards future prospects, and deduction towards personal expenses are in consonance with settled principles of law and do not call for any interference.

9. The compensation awarded under conventional heads are also in

accordance with law. No ground is made out for enhancement under these heads.

10. Insofar as the rate of interest is concerned, the same has been awarded @ 6% per annum, which cannot be said to be unjust or unreasonable so as to warrant interference.

11. In view of the above discussion, no case for enhancement of compensation is made out. The appeal is accordingly dismissed.

12. Pending miscellaneous application(s), if any, also stand(s) disposed of accordingly.

17.04.2026
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	Yes/No