



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

129

FAO-1964-2026 (O&M)

Date of decision:08.04.2026

HARPREET KAUR AND OTHERS

...APPELLANTS

VERSUS

PARAMJIT SINGH AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Chetan Goyal, Advocate
for appellants.

PARMOD GOYAL, J. (ORAL)

Present appeal has been preferred by appellants-claimants being the wife, children and mother of deceased Vikram Singh @ Vicky Singh (hereinafter referred to as '**deceased**'), who are aggrieved by impugned award dated 13.01.2026 passed by Motor Accident Claims Tribunal, Patiala (hereinafter referred to as '**Tribunal**') vide which appellants-claimants have been awarded compensation of Rs.13,98,000/- on account of untimely death of deceased in motor vehicular accident dated 15.01.2024 caused by respondent No.1 while driving bus bearing registration No.PB-11CL-7077 in a rash and negligent manner.

2. Learned counsel for appellants-claimants has asserted that the only issue in present case is regarding income of deceased assessed by learned Tribunal. It is asserted that the income of deceased taken by learned Tribunal is on lower side. Learned counsel for appellants-claimants fairly states that learned Tribunal has rightly applied the correct multiplier, future prospects as well as deduction of personal expenses for calculating loss of dependency. The only grievance of appellants-claimants is that learned

Tribunal has failed to take pleaded income and vocation of deceased. It was the case of appellants-claimants that deceased was a mason earning Rs.25,000/- per month, however, the learned Tribunal had considered deceased to be an unskilled worker and has taken minimum wages payable to unskilled worker prevalent at the time of accident i.e. Rs.10,730/- per month as income of deceased instead of Rs.25,000/- per month.

3. No doubt, appellants-claimants in their claim petition had duly asserted that deceased was working as a mason earning Rs.25,000/- per month and to prove pleaded vocation and income of deceased, claimant No.1-wife of deceased had duly appeared as PW-1, whereby she reiterated that deceased was working as mason and was earning Rs.25,000/- per month. However, except for self-serving statement of claimant No.1, no other evidence to corroborate assertions made by PW1 regarding vocation and income of deceased has been placed on record. No document/certificate showing any formal training or any other corroborative evidence to show the amount been spent by deceased on his family was placed on record by appellants-claimants.

4. Faced with this, learned counsel for appellants-claimants submits that since claimant No.1 was not cross-examined on this issue, therefore, the vocation and pleaded income of deceased ought to have been accepted. However, I am of the view that said argument cannot be accepted. Onus to prove that deceased was working as mason and earning Rs.25,000/- per month was upon appellants-claimants. Mere self-serving statement of claimant No.1, in the facts and circumstances of the present case, cannot be held to be cogent and sufficient to conclude that deceased was working as

mason and earning Rs.25,000/- per month. No doubt, workers working in an unorganized sector do not have documentary evidence to show their income, however, there are many ways to show income – standard of living, ownership of vehicle, school fee being paid in case of children and similar such evidence showing expenses by deceased, which can justify self-serving assertions of higher income. Higher income is reflected by lifestyle of a person and therefore, whenever higher income is pleaded, claimant is bound to show the same by producing cogent and corroborative evidence. In present case, except for statement of claimant No.1, there is no material available to prove the income and vocation of deceased. Therefore, no fault with the approach of learned Tribunal to consider deceased as unskilled worker and take his income equivalent to minimum wages prevailing at the time of accident, can be found. In view of above discussion, no enhancement in compensation is justified.

- 5. Appeal is without any merit and accordingly dismissed.
- 6. Pending application(s), if any, stand disposed of.

(PARMOD GOYAL)
JUDGE

08.04.2026
Sunil Chander

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No