



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

121

FAO-2442-2023
Date of decision :15.01.2026

SASHI DEVI AND OTHERS ... APPELLANTS

VERSUS

YOGESH AND OTHERS ...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Saurabh Arora, Advocate
for the appellants.

Mr. P.H.S. Pannu, Advocate
for respondent No. 3-Insurance Company.

PARMOD GOYAL, J. (ORAL)

1. The appellants–claimants are aggrieved by the impugned award dated 11.01.2023 passed by the Motor Accident Claims Tribunal, Jhajjar (herein referred to as ‘Tribunal’), vide which the following compensation was awarded to the appellants.
2. The Tribunal in the present case has awarded the following compensation:

Income	Rs. 18,374/- per month
Future prospects	40% Rs. 7,350/-
Deduction	1/4 th Rs. 6,431/-
Multiplier	15
Total amount of dependency	Rs. 2,31,516 x 15 = Rs. 34,73,740
Loss of estate	Rs. 15,000/-
Funeral expenses	Rs. 15,000/-
Loss of spousal consortium	Rs. 40,000/-



Total compensation awarded	Rs. 35,42,740/-
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3. Learned counsel for the appellants-claimants have assailed the award on the ground that no consortium has been granted to respondent Nos. 2, 3, 4 and 5. I find merit in the contention raised on behalf of the appellants-claimants. All the claimants, namely the wife, children and parents, are entitled to compensation on account of loss of consortium as only claimant No.1 has been granted spousal consortium to the extent of ₹40,000/- whereas no parental or filial consortium has been awarded to the children and parents.

4. Accordingly, the award is modified and an amount of ₹40,000/- each is granted to claimant Nos. 2 to 5 towards loss of consortium. The award stands modified to the aforesaid extent.

5. As far as loss of dependency is concerned, no interference is warranted. The income of the deceased has been correctly assessed by the learned Tribunal and the multiplier, deduction towards personal expenses as well as future prospects have been rightly applied.

6. Accordingly, the reworked compensation is as under:-

Income	Rs. 18,374/- per month	Rs. 18,374/- per month
Future prospects	40% (Rs. 18,374 + 7,349/-)	Rs. 25,723/-
Deduction	$\frac{1}{4}$ (Rs. 25,723 - 6,430)	Rs. 19,293/-
Multiplier	15	15
Total loss of dependency	Rs. 19,293 x 15 x 12	Rs. 34,72,740/-
Funeral expenses		Rs. 15,000/-
Loss of estate		Rs. 15,000/-



Spousal consortium to claimant No. 1	Rs. 40,000/- (awarded by Tribunal)	Rs. 40,000/-
Parental consortium to claimant Nos. 2 and 3	Rs. 40,000/- x 2	Rs. 80,000/-
Filial consortium to claimant Nos. 4 and 5	Rs. 40,000 x 2	Rs. 80,000/-
Compensation awarded by Tribunal	Rs. 35,42,740/-	
Compensation awarded in appeal		Rs. 37,02,740/-
Enhancement of compensation	Rs. 37,02,740/- (awarded in appeal) – Rs. 35,42,740/- (awarded by Tribunal)	Rs. 1,60,000/-

7. In view of the above, the appeal is allowed to the aforesaid extent. The appellants-claimants shall be entitled to enhanced compensation of Rs. 1,60,000/- along with interest @ 7.5% per annum on the enhanced compensation from the date of filing of the claim petition till its realization. Apportionment and liability of the respondent to pay compensation shall be as per award.

15.01.2026
manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned Yes
Whether reportable Yes/No