



FAO-1782-2026 (O&M)

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

FAO-1782-2026 (O&M)

UNITED INDIA INSURANCE COMPANY

.....Appellant

vs.

GURMEET KAUR AND ORS.

.....Respondents

Reserved on:- 21.04.2026

Pronounced on:- 22.04.2026

Uploaded on:- 22.04.2026

Whether only the operative part of the judgment is pronounced?

NO

Whether full judgment is pronounced?

YES

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Diwan S. Adlakha, Advocate
for the appellant-Insurance Company.

SUDEEPTI SHARMA J.

1. The present appeal has been preferred against the award dated 31.01.2026 passed by the learned Motor Accident Claims Tribunal, Kurukshetra (for short, 'the Tribunal') in the claim petition filed under Section 166 read with Section 140 of the Motor Vehicles Act, 1988, wherein, the appellant/insurance company was held liable to pay the compensation to the claimants/respondents No.1 to 4 to the tune of Rs.39,39,000/- along with interest @ 6 % per annum, on the ground of quantum of compensation to be on higher side.

2. As sole issue for determination in the present appeal is confined to quantum of compensation awarded by the learned Tribunal, a detailed



narration of the facts of the case is not required to be reproduced here for the sake of brevity.

SUBMISSIONS OF LEARNED COUNSEL FOR THE APPELLANT

3. Learned counsel for the appellant–Insurance Company has assailed the impugned award primarily on the ground that the learned Tribunal erred in assessing the monthly income of the deceased at ₹20,000/– in the absence of cogent documentary evidence. He further contends that the learned Tribunal placed undue reliance upon the past employment record of the deceased without there being proof of his actual earnings at the time of the accident. According to the appellant, in such circumstances, the income ought to have been assessed on the basis of minimum wages applicable to a skilled worker, which, at the relevant time, were ₹12,598.81/– per month (rounded off to ₹12,600/–). In support of this submission, reliance has been placed upon the order of the Hon’ble Supreme Court in **Jitendra v. Sadiya & Ors., Civil Appeal No. 2209 of 2025 (arising out of SLP (C) No. 575 of 2025)**. On these premises, it is prayed that the present appeal be allowed and the compensation suitably reduced.

4. I have heard learned counsel for the appellant and perused the record of this case with his able assistance.

5. A careful perusal of the impugned award reveals that the contention advanced on behalf of the appellant-Insurance Company is devoid of merit. The learned Tribunal has assessed the income of the deceased at ₹20,000/– per month upon due consideration of his educational qualifications and his prior employment with Maruti Suzuki. The approach adopted by the learned Tribunal cannot be said to be arbitrary or unsupported by evidence.



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6. The Hon'ble Supreme Court, in its recent pronouncement in **Sharad Singh v. H.D. Narang (2025 INSC 1164)**, decided on 26.09.2025, has categorically held that the mechanical application of minimum wages in the case of a qualified or professionally skilled individual would be unrealistic, and that the income must be assessed keeping in view the educational background and overall profile of the deceased.

7. Further, in **Chandra @ Chanda @ Chandraram v. Mukesh Kumar Yadav & Ors., (2022) 1 SCC 198**, the Hon'ble Apex Court has held that mere absence of documentary proof of income does not justify the adoption of the lowest slab of minimum wages, particularly where other material exists on record to indicate a higher earning capacity.

8. In light of the aforesaid authoritative pronouncements, and having regard to the qualifications and past employment of the deceased, the assessment of his monthly income at ₹20,000/- cannot, by any stretch of imagination, be said to be excessive or unjustified. The same, therefore, warrants no interference.

9. Consequently, the finding of the learned Tribunal on the issue of income is affirmed.

10. In view of the foregoing discussion, the present appeal, being devoid of merit, is hereby dismissed.

11. Pending application(s), if any, also stand disposed of.

22.04.2026

Ayub/Sahil

(SUDEEPTI SHARMA)
JUDGE

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes