

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**FAO-3206-2025 (O&M)
Date of decision: 15.01.2026

Roopan and others

...Appellants

Versus

Usman and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Azad Khan, Advocate for the appellants.

DEEPAK GUPTA, J. (ORAL)**CM-10264-CII-2025 &**
CM-10263-CII-2025

Heard.

For the reasons mentioned in the applications, the same are allowed and delay of 55 days in filing the appeal; and delay of 04 days in refiling the appeal are hereby condoned.

FAO-3206-2025

On account of death of one Khushi Ram in a motor vehicular accident due to rash and negligent driving of vehicle No.HR-55-AH-8412, his mother and children filed a claim petition under Section 166 of the Motor Vehicles Act. Learned Tribunal assessed the compensation at Rs.15,65,116/-, holding the respondents - the driver, owner and insurer of the offending vehicle to be jointly and severally liable to pay the compensation along with interest. However, the recovery rights were given to the insurance company against the driver and owner.

2. The claimants have now approached this Court seeking enhancement.

3. The only plea raised by learned counsel for the appellants is that funeral expenses have been awarded by the Tribunal on the lower side. Besides, no compensation has been awarded towards the medical



expenses.

4. Perusal of the award would reveal that deceased was 44 years of age. He was an unskilled labour and so, his notional income has been assessed based upon the minimum wages at the relevant time to be Rs.9,400/- per month. 1/4th deduction has been rightly made considering the number of claimants. Multiplier of 14 has been rightly applied as per ***“Sarla Verma and others v. Delhi Transport Corporation and another”***, (2009) 6 Supreme Court Cases 121. 25% amount was added towards the future prospects, which is in consonance with the legal position explained by Hon’ble Supreme Court in ***“National Insurance Company Limited v. Pranay Sethi and others”*** 2017(4) RCR (Civil) 1009. An amount of Rs.18,150/- each for funeral expenses and loss of estate has been rightly awarded, which is also in consonance with the legal position explained in ***Pranay Sethi’s case (supra)***. In the circumstances, the contention of learned counsel that compensation under the head of funeral expenses is on lower side is absolutely not tenable.

5. As far as the expenses on medical treatment are concerned, it is conceded by learned counsel that no bills were produced to show that prior to the death of Khushi Ram, any expenses were incurred on his treatment.

6. In view of the above facts and circumstances, no case is made out, so as to grant any enhancement.

7. Dismissed.

15.01.2026

Yogesh

(DEEPAK GUPTA)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No