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

-.-

**FAO-2613-2024 (O&M) &
XOBJC-31- 2025**

United India Insurance Company Ltd. ....Appellant

Vs.

Maninder Singh and others ....Respondents

**Reserved on : 24.02.2026
Date of Pronouncement:12.03.2026
Uploaded on : 17.03.2026**

*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. Harsh Aggarwal, Advocate,
for the appellant-Insurance Company

Mr. Ashwani Arora, Advocate and
Mr. Vipul Sharma, Advocate
for cross-objector/respondent No. 1
(in X Objection No. 31–CII-2025)

-.-

SUDEEPTI SHARMA, J.

FAO-2613-2024 (O&M)

1. The present appeal has been preferred against the award dated 15.12.2013 passed by the learned Motor Accident Claims Tribunal, Chandigarh (for short, 'the Tribunal') in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988, on the ground of quantum of

compensation to be on higher side, as the appellant/ insurance company was held liable to pay the compensation to claimant/respondent No. 1.

XOBJC-31-2025

2. The present cross-objection has been preferred by cross-objector/claimant (respondent No. 1 herein) against the award dated 15.12.2023 passed in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988 by the learned Tribunal, for enhancement of compensation, granted to the cross-objector/claimant to the tune of Rs.51,34,891/- along with interest @ 7.5% per annum on account of injuries suffered by respondent No.1/cross objector.

3. Since the appeal filed by the Insurance Company and the cross-objections filed by the claimant/cross-objector are arising out of the same award dated 15.12.2023 passed by the learned Tribunal, therefore, **FAO-2613-2024** and **XOBJC-31-2025** are decided vide this common judgment.

4. On 23.02.2019, the claimant/injured was going from Sh. Ganesh Handloom Shop, Jamalpur Chowk, Ludhiana to his house while driving his Activa scooter at a slow speed and on the left side of the road. When he reached near Puneet Nagat Bridge (small bridge), at that time, an old man namely Iqbal Singh asked the complainant for lift. The claimant/injured halted his Activa and said old man sat down on the pillion seat. At about 09:20 PM, when they were going towards Motibagh Colony at moderate speed and reached near G.K. Estate turn, in the meanwhile a car, bearing registration No. PB-10-FT-1017 (in short 'offending vehicle'), which

was being driven by its driver Sahil Verma in a very rash and negligent manner came from the opposite direction and while coming on wrong side of the road, struck against the Activa of claimant/injured. As a result of this collision, the claimant/injured along with said old man fell down on the road and received serious injuries. After causing the accident, the driver of offending vehicle ran away from the spot after leaving his car there. Both the injured were taken to Christian Medical College and Hospital, Ludhiana. The other injured i.e. old man was shifted from the said hospital to Civil Hospital, Ludhiana from where he was further referred to PGI, Chandigarh. FIR No.25 dated 24.02.2019, under Sections 279,337,336, 427 IPC, Police Station Tibba, Ludhiana was registered against the driver of the offending vehicle.

5. Upon notice of the claim petition, respondents appeared and admitted the factum of compensation.

6. From the pleadings of the parties, the following issues were framed by the learned Tribunal :-

> *"1. Whether Maninder Singh suffered injuries in a vehicular accident which took place on 23.02.2019 at about 09.00 PM, due to rash and negligent driving of car bearing No. PB-10-FT-1017 by respondent No.1? If so, to what extent? OPP*
>
> *2 Whether the claimant is entitled to any compensation? If so, to what extent and from whom? OPP*
>
> *3. Whether the driver of the offending vehicle was not holding a valid driving license at the time of accident and*

has violated the terms and conditions of the Insurance policy? If so, its effect. OPR
4. Relief.”

SUBMISSIONS OF LEARNED COUNSELS FOR THE PARTIES

7. Learned counsel for the appellant-Insurance Company contends that the average of ITRs of the appellant is to be taken while assessing the monthly income of the claimant. Further that there is no loss of income since it is a case of injury only and the claimant is still working. He further contends that the learned Tribunal has wrongly granted the compensation for compensation of purchase of 05 artificial limbs as he has not purchased the same from the prescribed shop and produced the estimate. Further, PW2 in his statement stated that the claimant did not purchase the artificial limbs. He, therefore, prays that the present appeal be allowed and compensation be reduced.

8. Per contra, learned counsel for the respondent Nos. 1/cross-objector contends that the amount assessed by the learned Tribunal is on the lower side and deserves to be enhanced. He further contends that the learned Tribunal has rightly made the appellant-Insurance Company liable to pay the compensation to the claimant/respondent No. 1. Therefore, he prays that the present cross-objection be allowed and appeal filed by the appellant-Insurance Company be dismissed and amount of compensation be enhanced as per latest law.

9. I have heard learned counsel for the parties and perused the whole record of this case.

SETTLED LAW ON COMPENSATION

10. Hon'ble Supreme Court has settled the law regarding grant of compensation with respect to the disability. The Apex Court in the case of **Raj Kumar Vs. Ajay Kumar and Another (2011) 1 Supreme Court Cases 343**, has held as under:-

> ***General principles relating to compensation in injury cases***
>
> *5. The provision of the Motor Vehicles Act, 1988 ('Act' for short) makes it clear that the award must be just, which means that compensation should, to the extent possible, fully and adequately restore the claimant to the position prior to the accident. The object of awarding damages is to make good the loss suffered as a result of wrong done as far as money can do so, in a fair, reasonable and equitable manner. The court or tribunal shall have to assess the damages objectively and exclude from consideration any speculation or fancy, though some conjecture with reference to the nature of disability and its consequences, is inevitable. A person is not only to be compensated for the physical injury, but also for the loss which he suffered as a result of such injury. This means that he is to be compensated for his inability to lead a full life, his inability to enjoy those normal amenities which he would have enjoyed but for the injuries, and his inability to earn as much as he used to earn or could have earned. (See C.K. Subramonia Iyer v. T. Kunhikuttan Nair, AIR 1970 Supreme Court 376, R.D. Hattangadi v. Pest Control (India) Ltd., 1995 (1) SCC 551 and Baker v. Willoughby, 1970 AC 467).*

6. The heads under which compensation is awarded in personal injury cases are the following :

Pecuniary damages (Special Damages)

(i) Expenses relating to treatment, hospitalization, medicines, transportation, nourishing food, and miscellaneous expenditure.

(ii) Loss of earnings (and other gains) which the injured would have made had he not been injured, comprising :

(a) Loss of earning during the period of treatment;

(b) Loss of future earnings on account of permanent disability.

(iii) Future medical expenses. Non-pecuniary damages (General Damages)

(iv) Damages for pain, suffering and trauma as a consequence of the injuries.

(v) Loss of amenities (and/or loss of prospects of marriage).

(vi) Loss of expectation of life (shortening of normal longevity).

In routine personal injury cases, compensation will be awarded only under heads (i), (ii)(a) and (iv). It is only in serious cases of injury, where there is specific medical evidence corroborating the evidence of the claimant, that compensation will be granted under any of the heads (ii)(b), (iii), (v) and (vi) relating to loss of future earnings on account of permanent disability, future medical expenses, loss of amenities (and/or loss of prospects of marriage) and loss of expectation of life.

xxx xxx xxx xxx

19. We may now summarise the principles discussed above :

(i) All injuries (or permanent disabilities arising from injuries), do not result in loss of earning capacity.

(ii) The percentage of permanent disability with reference to the whole body of a person, cannot be assumed to be the percent-

age of loss of earning capacity. To put it differently, the percentage of loss of earning capacity is not the same as the percentage of permanent disability (except in a few cases, where the Tribunal on the basis of evidence, concludes that percentage of loss of earning capacity is the same as percentage of permanent disability).

(iii) The doctor who treated an injured-claimant or who examined him subsequently to assess the extent of his permanent disability can give evidence only in regard the extent of permanent disability. The loss of earning capacity is something that will have to be assessed by the Tribunal with reference to the evidence in entirety.

(iv) The same permanent disability may result in different percentages of loss of earning capacity in different persons, depending upon the nature of profession, occupation or job, age, education and other factors.

20. The assessment of loss of future earnings is explained below with reference to the following

Illustration 'A' *: The injured, a workman, was aged 30 years and earning Rs. 3000/- per month at the time of accident. As per Doctor's evidence, the permanent disability of the limb as a consequence of the injury was 60% and the consequential permanent disability to the person was quantified at 30%. The loss of earning capacity is however assessed by the Tribunal as 15% on the basis of evidence, because the claimant is continued in employment, but in a lower grade. Calculation of compensation will be as follows:*

a) Annual income before the accident : Rs. 36,000/-.

b) Loss of future earning per annum

(15% of the prior annual income) : Rs. 5400/-.

c) Multiplier applicable with reference to age : 17

d) Loss of future earnings : (5400 x 17) : Rs. 91,800/-

Illustration 'B' *: The injured was a driver aged 30 years, earning Rs. 3000/- per month. His hand is amputated and his permanent disability is assessed at 60%. He was terminated from his job as he could no longer drive. His chances of getting any other employment was bleak and even if he got any job, the salary was likely to be a pittance. The Tribunal therefore assessed his loss of future earning capacity as 75%. Calculation of compensation will be as follows :*

a) Annual income prior to the accident : Rs. 36,000/- .

b) Loss of future earning per annum

(75% of the prior annual income) : Rs. 27000/-.

c) Multiplier applicable with reference to age : 17

d) Loss of future earnings : (27000 x 17) : Rs. 4,59,000/-

Illustration 'C' *: The injured was 25 years and a final year Engineering student. As a result of the accident, he was in coma for two months, his right hand was amputated and vision was affected. The permanent disablement was assessed as 70%. As the injured was incapacitated to pursue his chosen career and as he required the assistance of a servant throughout his life, the loss of future earning capacity was also assessed as 70%. The calculation of compensation will be as follows :*

a) Minimum annual income he would have got if had been employed as an Engineer : Rs. 60,000/-

b) Loss of future earning per annum

(70% of the expected annual income) : Rs. 42000/-

c) Multiplier applicable (25 years) : 18

d) Loss of future earnings : (42000 x 18) : Rs. 7,56,000/-

[Note : The figures adopted in illustrations (A) and (B) are hypothetical. The figures in Illustration (C) however are based on actuals taken from the decision in Arvind Kumar Mishra (supra)].

11. Hon'ble Supreme Court in the case of ***National Insurance Company Ltd. Vs. Pranay Sethi & Ors.*** **[(2017) 16 SCC 680]** has clarified the law under Sections 166, 163-A and 168 of the Motor Vehicles Act, 1988, on the following aspects:-

(A) Deduction of personal and living expenses to determine multiplicand;
(B) Selection of multiplier depending on age of deceased;
(C) Age of deceased on basis for applying multiplier;
(D) Reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses, with escalation;
(E) Future prospects for all categories of persons and for different ages: with permanent job; self-employed or fixed salary.

The relevant portion of the judgment is reproduced as under:-

> " *Therefore, we think it seemly to fix reasonable sums. It seems to us that reasonable figures on conventional heads, namely, loss of estate, loss of consortium and funeral expenses should be Rs.15,000, Rs.40,000 and Rs.15,000 respectively. The principle of revisiting the said heads is an acceptable principle. But the revisit should not be fact-centric or quantum-centric. We think that it would be condign that the amount that we have quantified should be enhanced on percentage basis in every three years and the enhancement should be at the rate of 10% in a span of three years. We are disposed to hold so because that will bring in consistency in respect of those heads."*

12. Hon'ble Supreme Court in the case of ***Erudhaya Priya Vs. State Express Tran. Corpn. Ltd.*** ***2020 ACJ 2159,*** has held as under:-

" 7. There are three aspects which are required to be examined by us:

(a) the application of multiplier of '17' instead of '18'*;*

The aforesaid increase of multiplier is sought on the basis of age of the appellant as 23 years relying on the judgment in National Insurance Company Limited v. Pranay Sethi and Others, 2017 ACJ 2700 (SC). In para 46 of the said judgment, the Constitution Bench effectively affirmed the multiplier method to be used as mentioned in the table in the case of Sarla Verma (Smt) and Others v. Delhi Transport Corporation and Another, 2009 ACJ 1298 (SC) . In the age group of 15-25 years, the multiplier has to be '18' along with factoring in the extent of disability.

The aforesaid position is not really disputed by learned counsel for the respondent State Corporation and, thus, we come to the conclusion that the multiplier to be applied in the case of the appellant has to be '18' and not '17'.

(b) Loss of earning capacity of the appellant with permanent disability of 31.1%

In respect of the aforesaid, the appellant has claimed compensation on what is stated to be the settled principle set out in Jagdish v. Mohan & Others, 2018 ACJ 1011 (SC) and Sandeep Khanuja v. Atul Dande & Another, 2017 ACJ 979 (SC). We extract below the principle set out in the Jagdish (supra) in para 8:

> *"8. In assessing the compensation payable the settled principles need to be borne in mind. A victim who suffers a permanent or temporary disability occasioned by an accident is entitled to the award of compensation. The*

award of compensation must cover among others, the following aspects:

i. *Pain, suffering and trauma resulting from the accident;*
ii. *Loss of income including future income;*
iii. *The inability of the victim to lead a normal life together with its amenities;*
iv. *Medical expenses including those that the victim may be required to undertake in future; and*
v. *Loss of expectation of life."*

[emphasis supplied]

The aforesaid principle has also been emphasized in an earlier judgment, i.e. the Sandeep Khanuja case (supra) opining that the multiplier method was logically sound and legally well established to quantify the loss of income as a result of death or permanent disability suffered in an accident.

In the factual contours of the present case, if we examine the disability certificate, it shows the admission/hospitalization on 8 occasions for various number of days over 1½ years from August 2011 to January 2013. The nature of injuries had been set out as under:

*"**Nature of injury**:*

i. *compound fracture shaft left humerus*
ii. *fracture both bones left forearm*
iii. *compound fracture both bones right forearm*
iv. *fracture 3rd, 4th & 5th metacarpals right hand*
v. *subtrochanteric fracture right femur*
vi. *fracture shaft femur*
vii. *fracture both bones left leg*

We have also perused the photographs annexed to the petition showing the current physical state of the appellant, though it is stated by learned counsel for the respondent State Corporation that the same was not on record in the trial court. Be that as it may, this is the position even after treatment and the nature of injuries itself show their extent. Further, it has been opined in para 13 of Sandeep Khanuja case (supra) that while applying the multiplier method, future prospects on advancement in life and career are also to be taken into consideration.

We are, thus, unequivocally of the view that there is merit in the contention of the appellant and the aforesaid principles with regard to future prospects must also be applied in the case of the appellant taking the permanent disability as 31.1%. The quantification of the same on the basis of the judgment in National Insurance Co. Ltd. case (supra), more specifically para 61(iii), considering the age of the appellant, would be 50% of the actual salary in the present case.

(c) The third and the last aspect is the interest rate claimed as 12%

In respect of the aforesaid, the appellant has watered down the interest rate during the course of hearing to 9% in view of the judicial pronouncements including in the Jagdish's case (supra). On this aspect, once again, there was no serious dispute raised by the learned counsel for the respondent once the claim was confined to 9% in line with the interest rates applied by this Court.

CONCLUSION

8. The result of the aforesaid is that relying on the settled principles, the calculation of compensation by the appellant, as set out in para 5 of the synopsis, would have to be adopted as follows:

Heads	***Awarded***
Loss of earning power (Rs.14,648 x 12 x 31.1/100	*Rs. 9,81,978/-*
Future prospects (50 per cent addition)	*Rs.4,90,989/-*
Medical expenses including transport charges, nourishment, etc.	*Rs.18,46,864/-*
Loss of matrimonial prospects	*Rs.5,00,000/-*
Loss of comfort, loss of amenities and mental agony	*Rs.1,50,000/-*
Pain and suffering	*Rs.2,00,000/-*
Total	*Rs.41,69,831/-*

The appellant would, thus, be entitled to the compensation of Rs. 41,69,831/- as claimed along with simple interest at the rate of 9% per annum from the date of application till the date of payment.

13. Adverting to the contention of the appellant–Insurance Company that the average of the ITRs ought to have been taken for the purpose of assessing the income, the said contention runs contrary to the latest pronouncement of the Hon'ble Supreme Court in the case of , in ***Rupali Kailas Mamode v. National Insurance Company Ltd., 2023 ACJ***

327, wherein Hon'ble the Supreme Court has categorically held that the income disclosed in the last Income Tax Return of the deceased constitutes the most reliable evidence for assessing the monthly income for computation of compensation under the Motor Accident Claims Tribunal. The relevant extract reads as under:

> "*2. Heard learned counsel for the parties and perused the appeal papers. The husband of the appellant No.1 died in the accident which occurred on 31.07.2006. The deceased was aged about 32 years and was undertaking the work as a contractor though he was an architect. The MACT having taken into consideration the evidence available on record had reckoned the income based on the income-tax return for the years 2006- 2007 wherein it was indicated that the income was Rs.1,67,582/-. Having taken into consideration the other parameters the MACT awarded a sum of Rs.31,15,335/-.*
>
> *3. The High Court while reducing the compensation has arrived at the conclusion that the income as indicated in the last returns would not be justified and the average of three years is taken and therefore has reduced the compensation. Though learned counsel for the respondent Insurance Company seeks to contend that the High Court having taken note of the decisions rendered by this Court has arrived at such conclusion, we are of the opinion that in the present facts of the case, in any event such conclusion by the High Court was not justified. This is for the reason that as noted the deceased was an architect and he was doing contract work, the income-tax returns which*

> *he had filed from the period 2004- 2005 onwards indicated that there was a steep increase in his income as compared to a sum of Rs.89,964/- declared in the year 2004-2005 and that benefit cannot be denied. If this aspect of the matter is kept in perspective, the income was bound to increase many folds if he had survived and such income which is denied to the family is the loss of dependency which was required to be determined."*

14. The aforesaid legal position has been reiterated by the Hon'ble Supreme Court in ***Meenakshi v. Raj Kumar, Law Finder Doc Id #2570662,*** wherein it has been reaffirmed that the income immediately preceding the date of death ought to form the basis for computation of compensation. The relevant portion of the judgment reads thus:

> *"2. In respect of the accident which occurred on 01.06.2014, the claimants had filed the claim petition seeking compensation. The MACT having taken into consideration that the deceased was running a 'Kirana' shop and was aged about 42 years, has on that basis arrived at the compensation. However, the MACT while taking note of the documents at Exhibits- PA to PF has discarded the Income Tax Returns which had been filed by the petitioners to prove the income of the deceased from the year 2009 to 2015 stating that they are not the authentic proof of income since the sale particulars relating to 'Kirana' shop has not been provided. In that light, the notional income was taken at Rs. 8,100/- and the compensation was thereafter determined through its award dated 31.10.2015. The High Court though has enhanced the compensation,*

has also not relied upon the Income Tax Returns which had been produced but has taken the notional income at Rs. 10,000/- per month. It is in that light a consideration is required in this appeal.

3. The learned counsel for the appellant has taken us to the judgment of the MACT to point out the reasoning as contained in paragraph 25 of the judgment whereby the Income Tax Returns produced was eschewed from consideration. In our opinion, the said reason which is assigned therein to indicate that the sales tax returns or the purchase and sales particulars of the shop has not been produced in fact is fallacious in as much as the Income Tax Returns filed itself will indicate the income by the assessee earned and thereby the tax paid. Hence, the documents produced will indicate the income of the deceased in the instant case. Therefore, in that circumstance we are of the opinion that the manner of consideration made is not been justified and the income as indicated through the Income Tax Returns for the relevant years is to be taken into consideration."

15. In view of the above settled position of law, the learned Tribunal has not committed any error in considering the income reflected in the last filed ITR of the claimant. Accordingly, the learned Tribunal has rightly taken the income of respondent No. 1 as Rs.2,50,490/- per annum (Rs.20874/- monthly). Therefore, no interference is warranted in this regard.

16. With regard to the next contention of the appellant-Insurance Company that the claimant/respondent No. 1 is not entitled to any compensation towards loss of income on the ground that he continues to

remain employed in the same job even after the accident, the said contention is devoid of merit. It is an admitted position on record that the claimant/respondent No. 1 suffered amputation of his left leg and has to wear a prosthetic limb for the remainder of his life. The injuries sustained in the accident have permanently impaired his physical abilities and substantially diminished his functional and working capacity. Though the claimant/respondent No. 1 may be drawing some income as prior to the accident, the disability suffered by him has inevitably affected his efficiency and working capability. Therefore, the learned Tribunal has rightly granted compensation towards loss of earning capacity. Consequently, no interference is warranted on this count.

17. As regards the next contention of the appellant-Insurance Company that the learned Tribunal has erred in awarding compensation towards future medical treatment and the cost of prosthetic limb for replacement on five occasions, the said contention also does not merit acceptance. A perusal of the impugned award clearly reveals that the left leg of the claimant has been amputated below the knee and he is required to depend upon a prosthetic limb for the rest of his life. It is well settled that a prosthetic limb is not a one-time purchase and requires periodic maintenance and replacement over the course of a lifetime of a persons. In these circumstances, the learned Tribunal has rightly awarded compensation towards the future replacement of the prosthetic limb. Hence, no interference is warranted in this regard.

18. A further perusal of the award reveals that the learned Tribunal has erred in assessing the permanent disability of the claimant/cross objector-respondent No. 1 at only 30% to the whole body. This finding is contrary to the medical evidence placed on record. The disability certificate exhibited as Ex.P4 clearly records that the claimant/cross objector-respondent No. 1 was examined and assessed by Dr. Rajesh Paul/PW-3 (Department of Orthopaedics), who opined that the claimant/cross objector-respondent No. 1 has suffered 60% permanent disability on account that his right leg was amputated below knee. The assessment of disability at a reduced rate of 30% is wholly inadequate and unjustified, especially considering that the disability is permanent in nature. Due to the said injuries, the claimant/cross objector-respondent No. 1 shall be unable to perform any physical work involving walking, standing, or prolonged movement throughout his lifetime. The impairment has a direct and adverse impact on his functional ability and significantly diminishes his prospects of securing gainful employment in the future.

19. It is a settled principle of law that while determining compensation, the functional disability and its impact on the victim's earning capacity must be given due weight, rather than mechanically reducing the percentage of medical disability. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court in ***Rahul Ganpatrao Sable v. National Insurance Co. Ltd. 2023(9) scale 970***, wherein, the Apex Court held that in cases where the nature of the disability effectively incapacitates a person from

pursuing any meaningful employment, the functional disability must be evaluated in terms of the resultant loss of earning capacity, and not merely on the basis of medical assessment. The relevant portion of the judgment is reproduced as under:

> *"14. The five injuries which are permanent in nature apparently make him unfit for any employment even though the disability may be 60% or 85%. The compression fractures of seven cervical vertebra resulting into Paraplegia and further loss of bladder function make it absolutely impossible for a person to work and be gainfully employed. Considering the nature of disability, loss of income, is, thus, held to be 100% and not 50% as held by the High Court."*

20. Therefore, in order to serve the ends of justice, the functional disability of the claimant/cross objector-respondent No. 1 deserves to be assessed at **60%**, and the compensation ought to be recalculated accordingly.

21. A further perusal of the award reveals that the learned Tribunal has rightly added amount towards future prospects @ 40%. Further as per record, respondent No. 1 was stated to be 36 years old at the time of the accidence. The factum of age is not disputed and the learned Tribunal has rightly applied the multiplier of 15.

22. A further perusal of the award reveals that meagre amount is granted by the learned Tribunal under the heads of pain and sufferings, transportation, special diet, attendant charges and loss of amenities of life.

CONCLUSION

23. In view of the law laid down by the Hon'ble Supreme Court in the above referred to judgments, the appeal filed by the Insurance Company is **dismissed** being devoid of any merits, whereas cross-objection filed by the cross-objector/claimant is **allowed**. The award dated 15.12.2023 is modified accordingly. The cross-objector/claimant is held entitled to enhanced compensation as per the calculations made here-under:-

Sr. No.	**Heads**	**Compensation Awarded**
1	Income	Rs.20874/-
2	Loss of future prospects (40%)	Rs.8350/- (40% of Rs.20874/-)
3	Annual Income	Rs.3,50,688/- (Rs.29224/- X 12)
4	Loss of future earning on account of 60% disability	Rs.2,10,413/- (Rs.350688/- X 60%)
5	Multiplier of 15	Rs.31,56,195/- (Rs.210413X 15)
7	Pain and suffering	Rs.5,00,000/-
8	Attendant Charges	Rs.1,00,000/-
9	Transportation Charges	Rs.70,000/-
10.	Future Medical expenses+ prosthetic limbs	Rs.33,41,400 (27,84,500 + 5,56,900)
11	Loss of amenities of life	Rs.2,00,000/-
12	Special Diet	Rs.80,000/-
	Total compensation awarded:-	**Rs.74,47,595/-**
	Deduction:- Amount awarded by Tribunal	**Rs.51,34,891/-**
	Enhanced amount of compensation	**Rs.23,12,704/- (74,47,595- 51,34,891)**

24. So far as the interest part is concerned, as held by Hon'ble Supreme Court in ***Dara Singh @ Dhara Banjara Vs. Shyam Singh Varma***

2019 ACJ 3176 and ***R.Valli and Others VS. Tamil Nadu State Transport Corporation (2022) 5 Supreme Court Cases 107***, the amount so calculated shall carry an interest @ 9% per annum from the date of filing of the claim petition, till the date of realization.

25. Appellant-Insurance Company is directed to deposit the enhanced amount along with interest with the Tribunal within a period of two months from the date of receipt of copy of this judgment. The learned Tribunal is directed to disburse the enhanced amount of compensation along with interest to the cross objector-claimant.

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

(SUDEEPTI SHARMA)
JUDGE

12.03.2026
Gaurav Arora

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