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

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**FAO-891-2008 (O&M) &
XOBJC-121-2025
Reserved on : 12.01.2026
Date of Pronouncement: 18.02.2026
Uploaded on : 26.02.2026**

Oriental Insurance Company Ltd. ....Appellant

Vs.

Smt. Preeti Chhabra and others ....Respondents

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. Ashwani Talwar, Senior Advocate, with
Mr. Nikhil Sehrawat, Advocate,
for the appellant-Insurance Company.

Mr. Jarnail Singh Saneta, Advocate,
for the cross-objector/respondents No.1 to 4.

Ms. Bindu Bala, Advocate, for
Mr. Vishal Munjal, Advocate,
for respondent No.5.

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SUDEEPTI SHARMA, J.

FAO-891-2008 (O&M)

1. The present appeal has been preferred by the appellant-Insurance Company for setting aside the award dated 22.01.2008 passed by the learned Motor Accident Claims Tribunal, Panipat, (for short, 'Tribunal') under Section 166 of the Motor Vehicles Act, 1988, whereby, the claimants/respondents No.1 to 4 were awarded a compensation of Rs.36,91,665/- along with interest @ 7.5% per annum on account of death of

Sanjeev Kumar Chhabra and the appellant-Insurance Company and respondent No.5-owner and driver of the offending vehicle) were held liable to pay the compensation, jointly and severally.

XOBJC-121-2025

2. The present cross-objections have been preferred by cross-objectors/claimants (respondents No.1 to 4 herein) against the award dated 22.01.2008 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-objectors/claimants to the tune of Rs.36,91,665/- along with interest @ 7.5% per annum on account of death of Sanjeev Kumar Chhabra.

3. Since the appeal filed by the Insurance Company and the cross-objections filed by the claimants/cross-objectors are arising out of the same award dated 22.01.2008 passed by the learned Tribunal, therefore, **FAO-891-2008** and **XOBJC-121-2025** are decided vide this common judgment.

FACTS NOT IN DISPUTE

4. Brief facts of the case are that on 21.01.2006, deceased Sanjeev Kumar Chhabra, along with Jitender Kumar, started from Panipat for Katra (Jammu) to pay obeisance at the holy shrine of Mata Shri Vaishno Devi, in car bearing registration No.HR-06M-6288 8. On the way, Ashok Kumar and Surender Kumar, relatives of the deceased, boarded the car from Rajpura to join the pilgrimage. The deceased was driving the car at a moderate speed while observing traffic rules. At about 12:30 a.m., when they reached near

the tax barrier of Mansa within the jurisdiction of Police Station Mukerian, Punjab, a loaded truck bearing registration No.PB-07G-8271 was proceeding ahead of their car. The said truck was being driven by Dilbag Singh, respondent No.1. Respondent No.1 is the owner-cum-driver of the offending truck, whereas respondent No.2 is the insurer of the said vehicle.

5. Upon notice of the claim petition, the respondents appeared and filed their separate replies denying the factum of accident/compensation.

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

> *"1. Whether the accident in question took place due to rash and negligent driving of vehicle No. PB-07G-8271 by respondent No.1? OPP*
>
> *2. If Issue No.1 is proved, to what amount of compensation, the, claimants are entitled to receive and from whom? OP Parties.*
>
> *3. Whether the respondent No.2 is not liable to pay the compensation in view of the preliminary objections taken by it in its written statement? OPR*
>
> *4. Relief."*

7. After taking into consideration the pleadings and the evidence on record, the learned Tribunal has awarded compensation to the tune of Rs.36,91,665/- along with interest at the rate of 7.5% per annum on account of death of Sanjeev Kumar Chhabra and the appellant-Insurance Company as well as respondent No.5 (owner and driver of the offending vehicle) were held liable to pay the compensation jointly and severally. Hence, the

Insurance Company filed the present appeal.

SUBMISSIONS OF LEARNED COUNSELS FOR THE PARTIES

8. Learned counsel for the appellant–Insurance Company contends that the learned Tribunal erred in not considering contributory negligence on the part of the deceased, driver of car bearing registration No. HR-06M-6288. He further contends that the offending vehicle, moving truck, was struck from behind by the said car, which *prima facie* indicates lack of due care and caution on the part of the deceased while driving. In such circumstances, it is further contended that the deceased failed to maintain a safe distance and exercise reasonable prudence expected of a prudent driver, and therefore, an appropriate proportion of liability ought to have been apportioned to him on account of contributory negligence. He, therefore, prays that the present appeal be allowed.

9. *Per contra*, learned counsel for the respondents No.1 to 4/claimants submits that no issue regarding contributory negligence was framed, nor was any such plea substantiated before the learned Tribunal. He further submits that driver and owner of the offending vehicle did not stepped into the witness box to prove negligence on the part of the deceased. Therefore, the finding of the learned Tribunal warrants no interference and the appeal deserves dismissal. He furthermore contends that the compensation is on lower side and they have preferred cross objections i.e. XOBJC-121-2025 seeking enhancement of compensation. He, therefore, prays that the present appeal be dismissed and corss-objections be allowed.

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

11. It would be apposite to reproduce relevant portion of the award. The same is reproduced as under:-

> *"**ISSUE NO. 1***
>
> ***8**. In order to prove this issue, the claimants examined Jatinder Kumar, an eye witness to the accident and author of FIR as PW2. He at the time of accident was traveling in the same car. He has stated that on 21.01.2006, he and Sanjeev Kumar, since deceased, started from Panipat for going to offer prayers at the temple of Shri, Mata Vaishno Devi at Katra in Jammu by car No. HR-06M-6288. On the way, two more persons namely Surinder Kumar and Ashok Kumar boarded the car from Rajpura. The car was being driven by Sanjeev Kumar at moderate speed on his due left side. At about 12.30 midnight, when they reached near Maansa Sales Tax Barrier, the offending truck bearing registration No.PB-07G-8271 was going ahead of them with its backdoor open which obstructed the visibility of the brake-lights. The driver stopped the truck suddenly in the middle of the road, as a result of which, their car rammed into the truck. All the occupants of the car received injuries. Sanjeev Kumar and Surinder Kumar who were sitting on the front seat died on the spot. They all the four were taken to Civil Hospital, Mukerian (Punjab) by the persons present over there where Ashok Kumar too succumbed to injuries. He further stated that the police recorded his statement and on the basis of his statement. FIR Ex.P1 was drawn. In cross-examination,*

it was suggested to him that the truck was stationary to get tax clearance when the deceased rammed the car into its backside while driving the same rashly and negligently which fact he denied and reiterated that the truck was stopped abruptly in the middle of the road which caused the accident and thus, it was the driver of the truck who was at fault for the same. He further added that his statement was recorded in Civil Hospital, Mukerian at about 2.30/3.00 a.m. in the night.

To prove that respondent No.1 is facing trial for causing the accident, Ashok Kumar Bhalla, Criminal Ahlmad from the Court of Judicial Magistrate 1st Class, Dasuya, District Hoshiarpur (Punjab) examined as PW3. He has stated that respondent' No.1 si facing trial for causing the accident in question in the court of Smt. Mandeep Kaur, learned Judicial Magistrate 1st Class, Dasuya. Charge sheet against him for the offence under Sections 279/337/304-A/283 IPC has been framed and now the case is fixed for 3.5.2007 for evidence of the prosecution. He proved certified copy of the charge sheet framed against the accused as Ex. P5 and certified copy of the report submitted by the police under Section 173 Cr.P.C. as Ex. P6.

9. *On the other hand, no evidence is led by the respondents on this issue.*

10*.* *From the statement of PW2 which goes unrebutted and the fact that respondent No.1 is facing trial for causing the accident, it is proved that the accident had taken place as a result of rash and negligent driving of the truck in question by respondent No.1. Challans in* *criminal cases are filed after investigation. Respondent No.1 did not make any complaint to any authority regarding his implication by the police. It means he was satisfied with the investigation. Moreover, respondent no.1 did not step into witness box to state as to how did accident take place. Adverse inference is thus to be drawn against. him. In case Girdhari Lal Vs Radhey Sham and others, 1993(2) PLR-109, it was held that when a person was being tried for rash and negligent driving, then it is prima facie safe to conclude that the accident in question had occurred due to his rash and negligent driving. This issue is, therefore, decided in favour of the claimants.*

ISSUE NO.2

***11**. In order to prove age of the deceased, his income and dependency factor, his wife Smt. Preeti Chhabra appeared as PW1 and stated that her husband at the time of death was about 44 years of age, He was in export business. He was running. his business as partner in the firm M/s Anshu International and as sole proprietor of the firm M/s Haryana Handicrafts. After paying income tax, his monthly income from said business was Rs.75,000/-. His income was increasing year by year. She has further stated that she, her mother-in-law and minor daughters were dependent upon him. After his death, they closed business of both the firms as there was no male member in the family to look after the same. Her both the daughters are school going, she added.*

The claimants in order to prove income of the deceased examined Sanjeev Kumar, Tax Assistant and

Bishni Devi, Senior Tax Assistant from the office of Income Tax Officer, Panipat. They proved income returns filed by the deceased as partner of Anshu International and as proprietor of Haryana Handicrafts for the assessment year 2004-05 and 2005-06 as Ex.P8, Ex. P9, Ex. P11 and Ex. P12 which were made final and accepted by the assessing authority under Section 143(1) of the Income Tax Act, 1961 vide letters Ex. P10, EX. P13 and Ex. P14. Perusal of the same would show that annual income of the firm M/s Anshu International during the assessment year 2004-05 was Rs.11,59,760/- and it was Rs.15,39,110- during the assessment year 2005-06. After paying income tax, the net income of the firm during the assessment year 2004-05 was Rs.8,52,329/- and it was Rs.9,75,912/- during the assessment year 2005-06. Likewise, annual income of the firm M/s Haryana Handicrafts during the assessment year 2004-05 was Rs.1,28,523/- and Rs.1,17,355/- during the assessment year 2005-06 and after payment of income tax, its net income during the assessment year 2004-05 was Rs.1,13,819/- and it was Rs.1,04,883/- during the assessment year 2005-06.

To prove that the deceased was a partner in the firm M/s Anshu International, the claimants examined Ram Bhajan from Union Bank of India with whom. the firm had its business account. He has stated that as per their record, there were two partners in the firm M/s Anshu International. Another partner of the firm was Ved Parkash who is examined as pW7. He produced copy of the partnership deed Ex. P16. Perusal of. the same would show that the deceased was partner of. 50% in the firm *and remaining 50% was held by this witness. This witness has further stated that after death of Sanjeev Kumar, the firm stopped carrying the business and now said firm exists only on papers.*

***12**. On the other hand, no evidence is led by the respondents on this issue too.*

***13**. From the evidence led by the claimants, it is proved that the deceased was in the export business. He was running his business as partner of firm M/s Anshu International and as sole proprietor of the firm M/s Haryana Handicrafts. His average annual income from said business after payment of income tax was Rs.8,52,329+9,75,912 = 18,28, 241/2=9,14,120/2= 4,57,060+1,09,351 (1,13,819+1,04,883=2,18, 702/2= 1,09,351) =5,66,411 the time he died. Had he been alive, he would have spent 1/3d of his income to meet his personal and living expenses and some amount to meet business and other corporate expenses. Therefore, his pecuniary contribution to the claimants is assessed at Rs.2,83,205/- a.m. being of Rs. 5,66, 411/-. As per entry in the income tax returns, the deceased was born on 13.08.1960. As such, at the time of death, he was more than 45 years of age. Keeping in view his age, multiplier of '13' shall be suitable as provided under Second Schedule to Sec. 163-A of the Motor Vehicles Act. If that multiplier is applied, the compensation on calculation comes to Rs.2,83,205x13-Rs.36,81, 665/-. Besides that, the claimants are entitled to Rs.10,000/- as funeral expenses. In total, they are entitled to Rs.36,91,665/- compensation from the respondents who are liable to pay the same jointly and severally. This issue is decided* *accordingly in favour of the claimants."*

12. A perusal of the impugned award reveals that the learned Tribunal has meticulously appreciated the entire oral as well as documentary evidence available on record and returned a well-reasoned finding that the accident in question occurred on account of the sole rash and negligent driving of the driver of the offending Truck/Trolla bearing registration No. PB-07G-8271.

13. From the record, it transpires that the occurrence was witnessed by Jatinder Kumar who was examined as PW-2. He is not only the eye-witness but also the author of the FIR. He categorically deposed that he had noted the registration number of the offending vehicle at the spot and, on the basis of his statement, FIR (Ex.P-1) was registered. In his deposition before the learned Tribunal, he vividly narrated the manner in which the accident took place and unequivocally attributed negligence to the driver of the offending vehicle. Despite being subjected to searching cross-examination, his testimony remained consistent and unimpeached. The learned Tribunal, therefore, rightly placed reliance upon his evidence.

14. Significantly, a perusal of the written statement filed by the Insurance Company discloses that no specific plea of contributory negligence was raised therein. Neither the driver and owner stepped into the witness box to substantiate their defence. In the absence of any evidence to the contrary, the plea now sought to be urged regarding contributory negligence remains a mere assertion without proof.

15. It is further noteworthy that no issue with regard to contributory negligence was framed by the learned Tribunal, nor was any evidence led by the appellant-Insurance Company to establish the same. In this regard, the Hon'ble Supreme Court in **SLP(C)-833/834 of 2023** titled as **'M. Nithya**

and Others v. SBI General Insurance Co. Ltd.' has held that where no issue on contributory negligence was framed by the Tribunal, the High Court ought not to entertain such a plea so as to reduce the compensation awarded. The ratio of the said judgment squarely applies to the facts of the present case.

16. It is trite that in proceedings under the Motor Vehicles Act, the standard of proof is that of preponderance of probabilities and not proof beyond reasonable doubt. In the present case, the claimants/respondents No.1 to 4 have successfully discharged the said burden by leading cogent and reliable evidence, particularly the trustworthy testimony of PW-2 which stands corroborated by the registration of the FIR and the subsequent criminal proceedings.

17. In view of the foregoing discussion and the settled position of law, this Court finds no perversity or infirmity in the findings recorded by the learned Tribunal holding the driver of the offending vehicle solely negligent. The award, therefore, warrants no interference.

XOBJC-121-2025

18. Adverting now to the cross-obections filed by the claimants/cross-objectors seeking enhancement of compensation.

19. A perusal of the record reveals that income of the deceased was rightly assessed by the learned Tribunal as Rs.47,200/- per month. It is further reveals from the record that the age of the deceased was 45 years 05 months and 08 days at the time of accident. It is further evident from the record that nothing has been awarded for future prospects, loss of estate and loss of consortium. It is further transpired that the learned Tribunal has erred in deducting 1/3 towards personal expenditure instead of 1/4.

20. Moreover, learned Tribunal has erred in applying multiplier of 13 instead of 14. It is settled law as held by Apex Court in **Shashikala and**

others Versus Gangalakshmamma and another, 2015 (9) SCC 150 that for purpose of applying multiplier age last completed must be taken and not the age including the additional months. Therefore, the award requires indulgence of this Court.

SETTLED LAW ON COMPENSATION

21. Hon'ble Supreme Court in the case of ***Sarla Verma Vs. Delhi Transport Corporation and Another*** **[(2009) 6 Supreme Court Cases 121]**, laid down the law on assessment of compensation and the relevant paras of the same are as under:-

> "***30***. *Though in some cases the deduction to be made towards personal and living expenses is calculated on the basis of units indicated in Trilok Chandra, the general practice is to apply standardised deductions. Having a considered several subsequent decisions of this Court, we are of the view that where the deceased was married, the deduction towards personal and living expenses of the deceased, should be one-third (1/3rd) where the number of dependent family members is 2 to 3, one-fourth (1/4th) where the number of dependent family members is 4 to 6, and one-fifth (1/5th) where the number of dependent family members exceeds six.*
>
> ***31***. *Where the deceased was a bachelor and the claimants are the parents, the deduction follows a different principle. In regard to bachelors, normally, 50% is deducted as personal and living expenses, because it is assumed that a bachelor would tend to spend more on himself. Even otherwise, there is also the possibility of his getting married in a short time, in which event the contribution to the parent(s) and siblings is likely to be cut drastically. Further, subject to evidence to the*

contrary, the father is likely to have his own income and will not be considered as a dependant and the mother alone will be considered as a dependant. In the absence of evidence to the contrary, brothers and sisters will not be considered as dependants, because they will either be independent and earning, or married, or be dependent on the father.

***32**. Thus even if the deceased is survived by parents and siblings, only d the mother would be considered to be a dependant, and 50% would be treated as the personal and living expenses of the bachelor and 50% as the contribution to the family. However, where the family of the bachelor is large and dependent on the income of the deceased, as in a case where he has a widowed mother and large number of younger non-earning sisters or brothers, his personal and living expenses may be restricted to one-third and contribution to the family will be taken as two-third.*

* * * * * *

***42.** We therefore hold that the multiplier to be used should be as mentioned in Column (4) of the table above (prepared by applying Susamma Thomas[3], Trilok Chandra and Charlie), which starts with an operative multiplier of 18 (for the age groups of 15 to 20 and 21 to 25 years), reduced by one unit for every five years, that is M-17 for 26 to 30 years, M-16 for 31 to 35 years, M-15 for 36 to 40 years, M-14 for 41 to 45 years, and M-13 for 46 to 50 years, then reduced by two units for every five years, that is, M-11 for 51 to 55 years, M-9 for 56 to 60 years, M-7 for 61 to 65 years and M-5 for 66 to 70 years.*

22. 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:-

> "***52.*** *As far as the* ***conventional heads*** *are concerned, we find it difficult to agree with the view expressed in Rajesh[2]. It has granted Rs.25,000 towards funeral expenses, Rs 1,00,000 towards loss of consortium and Rs 1,00,000 towards loss of care and guidance for minor children. The head relating to loss of care and minor children does not exist. Though Rajesh refers to Santosh Devi, it does not seem to follow the same. The conventional and traditional heads, needless to say, cannot be determined on percentage basis because that would not be an acceptable criterion. Unlike determination of income, the said heads have to be quantified. Any quantification must have a reasonable foundation. There can be no dispute over the fact that*

price index, fall in bank interest, escalation of rates in many a field have to be noticed. The court cannot remain oblivious to the same. There has been a thumb rule in this aspect. Otherwise, there will be extreme difficulty in determination of the same and unless the thumb rule is applied, there will be immense variation lacking any kind of consistency as a consequence of which, the orders passed by the tribunals and courts are likely to be unguided. 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.

* * * * *

***59.3**. While determining the income, an addition of 50% of actual salary to the income of the deceased towards future prospects, where the deceased had a permanent job and was below the age of 40 years, should be made. The addition should be 30%, if the age of the deceased was between 40 to 50 years. In case the deceased was between the age of 50 to 60 years, the addition should be 15%. Actual salary should be read as actual salary less tax.*

> ***59.4**. In case the deceased was self-employed (or) on a fixed salary, an addition of 40% of the established income should be the warrant where the deceased was below the age of 40 years. An addition of 25% where the deceased was between the age of 40 to 50 years and 10% where the deceased was between the age of 50 to 60 years should be regarded as the necessary method of computation. The established income means the income minus the tax component.*
>
> ***59.5**. For determination of the multiplicand, the deduction for personal and living expenses, the tribunals and the courts shall be guided by paras 30 to 32 of Sarla Verma which we have reproduced hereinbefore.*
>
> ***59.6.** The selection of multiplier shall be as indicated in the Table in Sarla Verma[1] read with para 42 of that judgment.*
>
> ***59.7**. The age of the deceased should be the basis for applying the multiplier.*
>
> ***59.8**. 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 aforesaid amounts should be enhanced at the rate of 10% in every three years."*

23. Hon'ble Supreme Court in the case of **Magma General Insurance Company Limited Vs. Nanu Ram alias Chuhru Ram & Others [2018(18) SCC 130]** after considering **Sarla Verma (supra)** and **Pranay Sethi (Supra)** has settled the law regarding consortium. Relevant paras of the same are reproduced as under:-

*"**21**. A Constitution Bench of this Court in Pranay Sethi[2] dealt with the various heads under which compensation is to be awarded in a death case. One of these heads is loss of consortium. In legal parlance, "consortium" is a compendious term which encompasses "spousal consortium", "parental consortium", and "filial consortium". The right to consortium would include the company, care, help, comfort, guidance, solace and affection of the deceased, which is a loss to his family. With respect to a spouse, it would include sexual relations with the deceased spouse.*

*21.1. **Spousal consortium** is generally defined as rights pertaining to the relationship of a husband-wife which allows compensation to the surviving spouse for loss of "company, society, cooperation, affection, and aid of the other in every conjugal relation".*

*21.2. **Parental consortium** is granted to the child upon the premature death of a parent, for loss of "parental aid, protection, affection, society, discipline, guidance and training".*

*21.3. **Filial consortium** is the right of the parents to compensation in the case of an accidental death of a child. An accident leading to the death of a child causes great shock and agony to the parents and family of the deceased. The greatest agony for a parent is to lose their child during their lifetime. Children are valued for their love, affection, companionship and their role in the family unit.*

***22**. Consortium is a special prism reflecting changing norms about the status and worth of actual relationships. Modern jurisdictions world-over have recognised that* *the value of a child's consortium far exceeds the economic value of the compensation awarded in the case of the death of a child. Most jurisdictions therefore permit parents to be awarded compensation under loss of consortium on the death of a child. The amount awarded to the parents is a compensation for loss of the love, affection, care and companionship of the deceased child.*

***23**. The Motor Vehicles Act is a beneficial legislation aimed at providing relief to the victims or their families, in cases of genuine claims. In case where a parent has lost their minor child, or unmarried son or daughter, the parents are entitled to be awarded loss of consortium under the head of filial consortium. Parental consortium is awarded to children who lose their parents in motor vehicle accidents under the Act. A few High Courts have awarded compensation on this count. However, there was no clarity with respect to the principles on which compensation could be awarded on loss of filial consortium.*

***24**. The amount of compensation to be awarded as consortium will be governed by the principles of awarding compensation under "loss of consortium" as laid down in Pranay Sethi[2]. In the present case, we deem it appropriate to award the father and the sister of the deceased, an amount of Rs 40,000 each for loss of filial consortium.*

CONCLUSION

24. 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-objections filed by

the cross-objectors/respondents No.1 to 4 are **allowed**. The award dated 22.01.2008 is modified accordingly. The cross-objectors/claimants are held entitled to enhanced compensation as per the calculations made here-under:-

Sr. No.	***Heads***	***Compensation Awarded***
1	Monthly Income	Rs.47,200/-
2	Future prospects @ 25%	Rs.11,800/- (25% of 47,200)
3	Deduction towards personal expenditure 1/4	Rs.14,750/- {(47,200 + 11,800) X 1/4}
4	Total Income	Rs.44,250/- (59,000 – 14,750)
5	Multiplier	14
6	Annual Dependency	Rs.74,34,000/- (44,250 X 12 X 14)
7	Loss of Estate	Rs.15,000/-
8	Funeral Expenses	Rs.15,000/-
9	Loss of Consortium Parental : Rs.40,000 x 1 Spousal : Rs.40,000 x 1 Filial : Rs. 40,000 x 2	Rs.1,60,000/-
	Total Compensation	**Rs.76,24,000/-**
	Amount Awarded by the Tribunal	**Rs.36,91,665/-**
	Enhanced amount	**Rs.39,32,335/- (Rs.76,24,000 - 36,91,665)**

25. 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 cross-objectors/ claimants are granted the interest @ 9% per annum on the enhanced amount from the date of filing of claim petition till the date of its realization.

26. The Insurance Company is directed to deposit the enhanced amount of compensation with the Tribunal within a period of two months from the date of receipt of copy of this judgment. The Tribunal is directed to disburse the amount of compensation along with interest in the account of cross-objectors/claimants as per ratio settled in the award. The cross-objectors/claimants are directed to furnish their bank account details to the Tribunal.

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

18.02.2026 **(SUDEEPTI SHARMA)**
Virender **JUDGE**

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