



FAO No.4515 of 2025 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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FAO No.4515 of 2025 (O&M)
Date of decision: January 16th, 2026

Sukh Bai and others

...Appellants

Versus

Jaggi and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Tanya Vashist, Advocate
for Mr. S.S. Nain, Advocate
for the appellants.

Mr. Rahul Pathania, Advocate
for respondent No.2.

VIKAS BAHL, J. (ORAL)

1. Widow, four minor children and mother of deceased Hari Lal have filed the present appeal for enhancement of compensation. The Motor Accidents Claims Tribunal had awarded an amount of ₹18,91,400/- along with interest to the present appellants on account of death of Hari Lal, which had taken place in a motor vehicular accident on 17.08.2020. The only issue which arises for consideration before this Court is as to whether the appellants are entitled to additional compensation or not, as the other aspects have not been disputed before this Court.
2. Learned counsel for the appellants has referred to the chart prepared at page 'C' of the present paper book and has submitted that the

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deceased is entitled to monthly income of ₹9,458/- which was the income as per the minimum wage notification, whereas the Tribunal had taken the monthly income of the deceased to be ₹9,000/- only. It is submitted that in case amount of ₹9,458/- is taken into consideration, then the total monthly income along with future prospects of the deceased would come to ₹13,241/- instead of ₹12,600/-, which has been awarded by the Tribunal. It is further submitted that even the multiplier has not been applied inasmuch as the deceased was 35 years of age and the multiplier of 16 was to be applied, whereas the Tribunal has applied the multiplier of 15. Learned counsel for the appellants has further argued that the amount on account of loss of consortium has been awarded only to the extent of ₹44,000/-, even though there were six claimants in all and no amount has been granted on account of loss of consortium to the four minor children and the mother and thus, an amount of ₹1,76,000/- (44,000 X 4) on account of parental consortium was required to be awarded to the minor children and an amount of ₹44,000/- was required to be awarded on account of loss of consortium to the mother. In support of his arguments, learned counsel for the appellants has relied upon the law laid down by the Hon'ble Supreme Court in case titled as ***Magma General Insurance Company Limited Vs. Nanu Ram alias Chuhru Ram and others*** reported as ***(2018) 18 SCC 130***. It is submitted that in the said circumstances, the appellants are entitled to an additional compensation of ₹3,39,456/- and it is prayed that the same be awarded



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along with interest at the rate of 12% per annum. The chart as detailed at page ‘C’ of the appeal is reproduced hereinunder:

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Appellant herein: Claimants of Deceased (Hari Lal)
Date of Accident: 17.08.2020
Nature of Case: Death Case
Age of the deceased: Between 35 years
Driving License No. ---
Details of relief Granted

Comparative Compensation Chart

S. No.	Heads of Compensation	As Awarded by Tribunal	As Claimed (Per Sarla Verma & Pranay Sethi)
1	Monthly income	₹9,000	₹9,458 (as per minimum wage notification)
2	Future Prospects (40%)	₹3,600	₹3,783
3	Total Income (1+2)	₹12,600	₹13,241
4	Less Personal Expenses (1/5th deduction)	₹2,520	₹2,648
5	Monthly Dependency	₹10,080	₹10,593
6	Annual Dependency (x 12)	₹1,20,960	₹1,27,116
7	Multiplier (Age: 35 years → Multiplier 16)	15	16
8	Total Loss of Dependency (6 x 7)	₹18,14,400	₹20,33,856
9	Loss of Consortium (Spouse)	₹44,000	₹44,000
10	Loss of Parental Consortium (4 minor — children)		₹1,76,000 (₹44,000 x 4)
11	Loss of Consortium (Mother of deceased)	—	₹44,000
12	Loss of Estate	₹16,500	₹16,500
13	Funeral Expenses	₹16,500	₹16,500
	Total Compensation	₹18,91,400	₹22,30,856

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3. Learned counsel for respondent No.2, on the other hand, has submitted that on 16.10.2025 when this Court had condoned the delay of 322 days, it was specifically stated that the appellants would not claim interest for the said period of 322 days. It is further submitted that the interest claimed by the appellants is highly excessive and the highest rate of interest that can be granted to the appellants is 6% per annum.

4. This Court has heard the learned counsel for the parties and has perused the paper book and finds that the present appellants are entitled to the additional compensation of ₹3,39,456/-, as has been claimed in the chart prepared by the appellants.

5. It could not be disputed that as per the minimum wage notification, the deceased would be entitled to income of ₹9,458/- per month at the relevant time, whereas the Tribunal has granted only an amount of ₹9,000/- per month for the said aspect. Further, since the deceased was 35 years of age, thus as per settled law, a multiplier of 16 was to be applied, whereas the Tribunal has applied the multiplier of 15. There are six claimants, who are all dependents upon the deceased and thus, each one of the claimants were entitled to an amount of ₹44,000/-, as claimed, on account of loss of consortium, whereas the Tribunal has awarded an amount of only ₹44,000/- for the said aspect. Accordingly, the appellants are entitled to an additional compensation of ₹3,39,456/-. The rate of interest



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sought by the appellants is highly excessive and this Court has been repeatedly granting interest at the rate of 7.5% per annum, which rate of interest is also reasonable in the present case. Vide order dated 16.10.2025, CM-14218-CII-2025 was allowed with the following observations. The relevant portion of the order dated 16.10.2025 is reproduced hereinbelow:

“CM-14218-CII-2025

Present application has been filed under Section 5 of the Limitation Act for condonation of delay of 322 days in filing the present appeal.

Learned counsel for the applicants-appellants has submitted that for the period of 322 days, the appellants would not claim any interest and has prayed that the said delay be condoned.

For the reasons mentioned in the application, which is duly supported by an affidavit as well as on account of the fair statement made on behalf of the appellants, present application is allowed and the delay of 322 days in filing the present appeal is hereby condoned.

As stated before this Court, the appellants would not claim interest for the said period of 322 days.”

6. Keeping in view the abovesaid facts and circumstances, the present appeal is partly allowed and the impugned award dated 03.04.2024 passed by the Motor Accidents Claims Tribunal is modified and respondent No.2-Insurance Company is directed to pay an additional compensation of ₹3,39,456/- to the appellants in the same proportion, as has been awarded



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by the Tribunal along with interest at the rate of 7.5% per annum from the date of filing of the claim petition till the date of the present order after subtracting a period of 322 days from the same, within a period of six weeks from today.

7. Pending applications, if any, stand disposed of.

January 16th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned: Yes

Whether reportable: No