



FAO No.3162 of 2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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FAO No.3162 of 2024
Date of decision: January 21st, 2026

Suman and others

...Appellants

Versus

Ramotar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ravi Ambawata, Advocate
for Mr. Sanjay Mittal, Advocate
for the appellants.

Mr. Punit Jain, Advocate
for respondent No.3.

VIKAS BAHL, J. (ORAL)

1. Widow, minor son and mother of deceased Surender Singh have filed the present appeal for enhancement of compensation payable on account of death of Surender Singh which had occurred on account of a motor vehicular accident on 29.07.2021. The Tribunal had awarded an amount of ₹23,90,100/- vide award dated 08.05.2024. The only issue which arises for consideration before this Court is as to whether the appellants are entitled to enhancement of compensation or not as the other aspects have not been disputed before this Court.

2. Learned counsel for the appellants has submitted that, as is apparent in the chart, in para 23 of the award of the Tribunal, on account of loss of consortium, an amount of ₹1,20,000/- has been awarded by granting an amount of ₹40,000/- to each of the claimants, whereas an amount of ₹48,000/- each i.e. total of ₹1,44,000/- should have been awarded to the



appellants on account of loss of consortium as per settled law. It is further submitted that the amount awarded on account of loss of estate and funeral expenses to the extent of ₹15,000/- each is on the lesser side and as per settled law, the amount that is to be awarded on the said account is ₹18,000/- and thus, an additional compensation of ₹6,000/- on the said account should have been awarded. It is submitted that the said additional compensation be awarded by giving rate of interest at the rate of ₹9% per annum. 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***.

3. Learned counsel for respondent No.3, on the other hand, has submitted that the rate of interest claimed by the appellants is highly excessive and the highest rate of interest that should be granted is 6% per annum.

4. This Court has heard the learned counsel for the parties and has perused the paper book and is of the view that the amount as claimed by the appellants is in accordance with law and deserves to be granted to the appellants except on the aspect of interest.

5. It is a matter of settled law that an amount of ₹48,000/- is to be paid to each of the claimants on account of loss of consortium, whereas the Tribunal has awarded an amount of ₹40,000/- to each of the three claimants. Thus additional amount of ₹24,000/- (₹8,000 X 3) is to be awarded to the appellants on account of loss of consortium. The amount awarded by the



Tribunal on account of loss of estate and funeral expenses i.e. ₹15,000/- each, also deserves to be enhanced to ₹18,000/- each and thus, an additional compensation of ₹6,000/- on the said aspect also deserves to be granted to the appellants. Accordingly, the appellants are entitled to total additional compensation of ₹30,000/- along with interest. 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.

6. Keeping in view the abovesaid facts and circumstances, the present appeal is partly allowed and the award dated 08.05.2024 passed by the Motor Accidents Claims Tribunal is modified and respondent No.3- Insurance Company is directed to pay additional compensation of ₹30,000/- along with interest at the rate of 7.5% per annum from the date of filing of the claim petition till its realisation within a period of six weeks from today.

January 21st, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No