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

FAO-4415-2025 (O&M)

Date of Decision : 18.02.2026

Rekha Devi & Ors

... Appellant(s)

Versus

Kuldeep Kumar & Anr

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sham Lal Saha, Advocate for the appellants.

ALKA SARIN, J. (Oral)

CM-13846-CII-2025

1. For the reasons mentioned therein, the application seeking condonation of delay of 06 days in refiling the appeal is allowed and the delay of 06 days in refiling the appeal is condoned.

CM-13847-CII-2025

2. For the reasons mentioned therein, the application seeking condonation of delay of 356 days in filing the appeal is allowed and the delay of 356 days in filing the appeal is condoned.

FAO-4415-2025

3. The present appeal has been preferred by the claimant-appellants aggrieved by the quantum of compensation awarded by the Motor Accident Claims Tribunal, Chandigarh (hereinafter referred to as 'Tribunal') vide the impugned award dated 02.03.2024 in a motor vehicle accident which occurred on 05.10.2022.

4. Since the factum of the accident is not in dispute, the facts are not being adverted to for the sake of brevity.

5. The Tribunal in the present case had awarded the following compensation :

Sr.No.	Heads	Compensation Awarded
1	Monthly Income	₹10,099/-
2	Future Prospects - 40%	₹14,139/- [₹10,099 + ₹4,040]
3	Deduction - 1/4 th	₹10,604/- [₹14,139 - ₹3,535]
4	Annual Income	₹1,27,248/- [₹10,604 x 12]
5	Multiplier - 15	₹19,08,720/- [₹1,27,248 x 15]
6	Loss of estate	₹18,000/-
7	Funeral expenses	₹18,000/-
8	Loss of consortium	₹1,92,000/- (₹48,000 x 4)
	Total Compensation	₹21,36,720/-
	Interest	6% per annum

6. The only argument raised by the learned counsel for the claimant-appellants is that the income of the deceased ought to have been assessed as that of a skilled worker as he was working as a Mason.

7. I have heard the learned counsel for the claimant-appellants.

8. In the present case the argument of the learned counsel for the claimant-appellants that the deceased was working as a Mason and, hence, his income ought to have been assessed as that of a skilled worker, cannot be accepted in the absence of any reliable or cogent evidence having been led by the claimant-appellants to even remotely suggest that the deceased was working as a Mason. In the absence of any documentary proof qua the earning of the deceased or qua his vocation, his income has rightly been assessed as per the minimum wage applicable to an unskilled worker at the relevant point of time. The amounts awarded under the other heads are as per the judgments

of the Hon'ble Supreme Court in the cases of **Sarla Verma & Ors. vs. Delhi Transport Corporation & Anr. [(2009) 6 SCC 121]**, **National Insurance Company Ltd. vs. Pranay Sethi & Ors. [(2017) 16 SCC 680]**, **Magma General Insurance Company Limited vs. Nanu Ram alias Chuhru Ram & Ors. [(2018) 18 SCC 130]** and **N. Jayasree & Ors. vs. Chola mandalam M.S General Insurance Company Ltd. [2021(4) RCR (Civil) 642]** and, hence, no interference is called for.

9. In view of the above, I do not find any merit in the present appeal and the same is accordingly dismissed. Pending applications, if any, also stand disposed off.

18.02.2026
Yogesh Sharma

(**ALKA SARIN**)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO