



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

FAO-6214-2012 (O&M)
Date of Decision: March 20, 2026

Shameena and another

...Appellants

VERSUS

Manjit Singh and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Ashok Bector, Advocate
for the appellants.

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

ARCHANA PURI, J.

The appellants-claimants have filed the present appeal, thereby seeking enhancement of the compensation granted by learned Motor Accident Claims Tribunal, on account of death of their son, namely, Mohammad Noshad, in a motor vehicular accident.

Counsel for the parties heard.

Suffice to consider that the accident had taken place on 1905.2010. On appraisal of the evidence brought on record, learned Tribunal had concluded about the accident to have been caused due to rash and negligent driving of the truck bearing registration No.PB-13Q-7801, driven by respondent No.1-Manjit Singh and the same resulted into death of Mohammad Noshad.



Be it noted that the appeal has only been filed by the appellants-claimants for seeking enhancement of the compensation and no appeal, as such, has been filed by the respondents, upon whom the liability has been fastened.

On appraisal of the evidence, coming on record, it was held by learned Tribunal that the deceased was about 18 years old. Though, he was stated to be indulging in sale of clothes/daris on a pheri, but however, due to paucity of evidence, brought on record, with regard to the vocation followed by the deceased, the earnings of the deceased were worked upon as 'unskilled worker', while considering the same to be Rs.3500/- per month. Considering the marital status of the deceased to be bachelor, deduction to the extent of 1/2 was made and the residue monthly income was worked upon as Rs.1750/-, annual whereof is Rs.21,000/-. Multiplier of '18' was applied, the loss of dependency was worked upon as Rs.21,000x18=Rs.3,78,000/-.

Besides the same, another amount of Rs.25,000/- was awarded towards 'loss of love and affection, transportation and funeral expenses'. Thus, in total, the compensation to the extent of Rs.4,03,000/- was awarded.

However, the 'work on' of the compensation aforesaid, do call for re-computation, as per prevalent settled law.

So far as, the age of the deceased to be 18 years, at the relevant time is concerned, the same, as such, is not disputed. Even, counsel for the appellants do not dispute about the earnings of the deceased to be assessed as that of 'unskilled' worker. However, the earnings assessed by the



Tribunal is lower than the prevalent minimum wages, in the State of Punjab, at the relevant time i.e. on the date of accident. The minimum wages, prevalent at the relevant time were Rs.3554/- per month, which is now rounded off as Rs.3600/- per month.

Considering the deceased to be bachelor, the deduction, on the count of ‘personal expenses’ ought to be made to the extent of 1/2. Further, considering the age of the deceased to be 18 years, addition of 40% ought to be made, on the count of ‘future prospects’. The appropriate multiplier to be applied is ‘18’, as applied by learned Tribunal.

Besides the aforesaid, both the appellants-claimants, who are parents of the deceased are entitled to compensation, on the count of ‘loss of consortium’ to the extent of Rs.48,400/- i.e. Rs.48,400x2=**Rs.96,800/-**. Similarly, on the count of ‘loss of estate’ and ‘funeral expenses’, the amount now payable is **Rs.18,150/-** on each count.

Considering the same, the compensation payable to appellants-claimants, on account of death of Mohammad Noshad is re-computed, as herein given:-

Earnings	Rs.3600/- per month
Deduction of 1/2	Rs.3600-1800=Rs.1800/- annual whereof is Rs.21,600/-
Addition of 40%	Rs.21600+8640=Rs.30,240/-
Multiplier of ‘18’	Rs.30,240x18= Rs.5,44,320/-
Loss of consortium	Rs.96,800/-
Loss of estate	Rs.18,150/-
Funeral expenses	Rs.18,150/-
Total	Rs.6,77,420/-

As such, the enhanced compensation, after the deduction of compensation awarded by the Tribunal, comes to be **Rs.6,77,420-**



FAO-6214-2012

-4-

4,03,000=Rs.2,74,420/-. The enhanced compensation, as now worked upon, be apportioned equally between both the appellant, who are parents of the deceased.

Accordingly, the impugned Award dated 21.03.2012 stands modified, to the extent, as indicated aforesaid. The remaining terms of the Award shall remain the same.

With the above observations, the present appeal stands allowed.

March 20, 2026
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No