



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

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FAO-5531-2019**Date of decision : 12.03.2026****Munni and another****..... Appellants****versus****Punjab Singh and another****..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. Nitish Kumar, Advocate
for the appellants.

Mr. Amit Jaiswal, Advocate
for respondent No.2.

PANKAJ JAIN, J. (Oral)

1. Legal heirs of deceased Sandeep are in appeal seeking enhancement of compensation. Two petitions filed under Section 166 of the Motor Vehicles Act, 1988 bearing No.140 of 2018 titled as “Smt. Munni and another vs. Punjab Singh and another” and No.224 of 2018 titled as “Smt. Shakuntla Devi and another vs. Punjab Singh and another” were adjudicated by common order dated 23.05.2019 qua accident dated 16.07.2017.

2. As per pleading, Rakesh and Sandeep son of Ramesh, residents of Kutani, District Panipat on 16.07.2017 went to Haridwar on a motor cycle no.HR-06AD-5311. At about 8:00 P.M, a bus belonging to Uttar Pradesh Transport Corporation being driven at a high speed and in a rash and negligent manner, struck motor cycle leading to death of both Rakesh and Sandeep.

3. Both the petitions were tried together by the Tribunal on the following issues:-

- “(1) Whether the accident took place on 16.07.2017 due to rash and negligent driving of vehicle bearing no. UP-11T-6092 by respondent no.1 resulting into death of Sandeep and Rakesh? OPP.
- (2) Whether the petitioners are entitled to compensation? If so, to what extent and from whom?OPP.
- (3) Whether respondents no.1 and 2 violated the terms and conditions of insurance policy of respondent no.3? OPR-3.
- (4) Relief.”

4. Present appeal has arisen out of claim petition No.140 of 2018.

5. Grievance of the appellants primarily relates to the quantum of compensation.

6. The Tribunal awarded the claimants a total compensation as mentioned below:-

Sr. No.	Head under which amount awarded	Amount
1.	Loss of dependency	Rs.11,82,384/-
2.	Transportation and last rites expenses	Rs.15,000/-
3.	Compensation on account of loss of estate	Rs.15,000/-
	Total	Rs.12,12,384/-

7. The enhanced compensation is re-worked in view of ratio of law laid down in ‘*National Insurance Company Limited vs. Pranay Sethi and others*’, (2017) 16 SCC 680 and ‘*Smt. Sarla Verma & others vs. Delhi Transport Corporation & another*’ (2009) 6 SCC 121 as under:-

Sr. No.	Head under which amount awarded	Amount
1.	Loss of dependency	Rs.11,82,384/-
2.	Transportation and last rites expenses	Rs.18,000/-



3.	Compensation on account of loss of estate	Rs.18,000/-
4.	Loss of consortium	Rs.48,400/- each

8. As a sequel of the aforesaid discussion, the award passed by Ld. Tribunal is modified to the aforesaid extent. The enhanced amount shall carry interest as per award.

9. Needless to say that any amount already paid to the claimants shall be set off.

10. The instant appeal, accordingly, stands disposed off.

11. All the pending miscellaneous application, if any, are also disposed off.

(PANKAJ JAIN)
JUDGE

12.03.2026
Dinesh

Whether speaking/reasoned : Yes
Whether Reportable : No