



FAO No.5099 of 2023

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

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FAO No.5099 of 2023

Date of decision: April 16th, 2026

Paramjeet Kaur and another

...Appellants

Versus

Sanjay Kumar and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Tarun Sharma, Advocate
for the appellants.

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

VIKAS BAHL, J. (ORAL)

1. Parents of deceased-Rawal Kumar @ Rahul have filed the present appeal for enhancement of compensation. The Tribunal vide award dated 10.10.2022 had awarded an amount of ₹22,47,654/- as compensation along with interest to the claimants on account of death of said Rawal Kumar @ Rahul, who had admittedly died in a motor vehicular accident which had taken place on 25.12.2018. The only issue that arises in the present appeal is whether the appellants are entitled to enhancement of compensation, as the other aspects have not been disputed before this Court.

2. Learned counsel for the appellants has submitted that in the present case, there are three claimants and each of the claimant should have been awarded an amount of ₹48,000/- each on account of loss of consortium after taking into consideration the 10% increase, whereas the three claimants have been awarded only an amount of ₹44,000/- each. It is submitted that on



the said aspect, an additional amount of ₹12,000/- should be granted to the appellants. It is further submitted that on account of funeral expenses and loss of estate, an amount of ₹16,500/- each has been granted instead of ₹18,000/- each and thus, an additional compensation of ₹3,000/- should be granted. It is further argued that interest at the rate of 9% be granted on the said additional amount. 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. This Court has heard the learned counsel for the parties and has perused the paper book and is of the opinion that the amount as sought by the appellants should be granted to the appellants.

4. Instead of granting ₹48,000/- on account of loss of consortium to each of the three claimants, only an amount of ₹44,000/- each has been granted and thus, the appellants are entitled to ₹12,000/- as additional compensation on the said account. As per settled law, on account of funeral expenses and loss of estate, the amount to which the present appellants are entitled to is ₹18,000/- each, whereas the appellants have been awarded ₹16,500/- each and thus, an additional amount of ₹3,000/- is also required to be awarded to the appellants. Accordingly, the total compensation to which the appellants are entitled to is ₹15,000/-. The Tribunal has awarded interest at the rate of 8% per annum and this Court finds that even in the present case, the said rate of interest should be granted to the appellants who are old parents of the deceased.



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5. Keeping in view the abovesaid facts and circumstances, the present appeal is partly allowed and the award dated 10.10.2022 passed by the Motor Accidents Claims Tribunal is modified and the present appellants are held entitled to an additional compensation of ₹15,000/- along with interest at the rate of 8% per annum from the date of filing of the claim petition till its realisation and respondent No.3 is directed to make the payment to the appellants in the name of the appellants in equal shares within a period of six weeks from today.

April 16th, 2026
Puneet

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned: Yes
Whether reportable: No