



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

FAO-4013-2014 (O&M)

Date of decision:14.05.2026

BATTAN AND ORS

...Appellants

Versus

M/S ASHOK LEYLAND LTD AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Mr. Digvijay, Advocate for
Mr. Ashish Gupta, Advocate for the appellants.

Mr. Neeraj Khanna, Advocate for
Mr. Ravinder Arora, Advocate for respondent No.4.

PANKAJ JAIN, J. (ORAL)

CM-12045-CII-2014

This is an application filed under Section 5 of Limitation Act seeking condonation of delay of 136 days in filing the instant appeal.

For the reasons recorded in the application, this Court is satisfied that the applicant/appellant has made out a sufficient cause for condonation of delay.

Consequently, the present application is allowed. The delay of 136 days in filing the instant appeal is hereby condoned.

FAO-4013-2014

Claimants are in appeal seeking enhancement of compensation awarded by MACT, Nuh at Mewat, vide award dated 16.08.2013.

2. The claimants filed claim petition under Section 166 of the Motor Vehicles Act, 1988 seeking compensation on account of death of Hamid @ Abdul Hamid, who lost his life in a motor-

vehicular accident, dated 09.07.2011 at the age of 35 years. The Tribunal awarded compensation of Rs.9,22,600/-.

3. Having heard counsel for the parties and after carefully perusing the records of the case, in view the ratio of law laid down by Supreme Court in the case of **Smt. Sarla Verma and others vs. Delhi Transport Corporation and another, (2009) 6 SCC 121, National Insurance Company Limited vs. Pranay Sethi and others, (2017) 16 SCC 680** and **Magma General Insurance Company Limited vs. Nanu Ram alias Chuhru Ram and others – Civil Appeal No.9581 of 2018, decided on 18.09.2018**, the compensation awarded by the Tribunal needs to be reworked and re-assessed as under:

Head	Compensation awarded
Income	Monthly Rs.5,160/- Annual Rs.61,920-
Deduction	1/5 (Rs.5,160 – Rs.1,032 = Rs.4,128/-)
Future prospects	40% (Rs.4,128 + Rs.1,651 = Rs.5,779/-)
Multiplier	16 (Rs.5,779×12×16 = Rs.11,09,606/-)
Loss of estate	Rs.18,000/-
Funeral expenses	Rs.18,000/-
Loss of consortium	Rs.48,000/- × 8 = Rs.3,84,000/-
Interest	7.5%

4. With the aforesaid modification in the impugned award, the appeal is disposed off.
5. Needless to say, anything paid to the claimants shall be set off.
6. Pending application, if any, shall also stands disposed off.

May 14, 2026

Dpr

(Pankaj Jain)

Judge

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No