



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

Date of Decision: 28.04.2026

FAO-5997-2013 (O&M)

1)

New India Assurance Co. Ltd.

....Appellant

V/s

Anuj Kumar and others

....Respondents

2)

FAO-5998-2013 (O&M)

New India Assurance Co. Ltd.

....Appellant

V/s

Prema Devi and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Paul S. Saini, Advocate
for the appellant-insurance co. (in both appeals).

Ms. Ramandeep, Advocate for
for Mr. Aman Kashyap, Advocate
for respondents No.1 and 2 (in FAO-5997-2013) and
for respondents No.1 to 4 (in FAO-5998-2013)

Mr. Amar Singh Chahal, Advocate
for respondent No.4 (in FAO-5997-2013) and
for respondent No.5 (in FAO-5998-2013).

VIKRAM AGGARWAL, J. (ORAL)

The instant appeals assail Award dated 01.07.2013, vide which two claim petitions instituted by the legal representatives of Anil Kumar and Uma Shankar, who expired in a motor vehicular accident which took place on 08.09.2008, were allowed and compensation to their respective legal representatives was awarded.

2. In the case of Anil Kumar, following compensation was awarded by the MACT:-

Sr. No.	Heads of Claim	
1.	Age of the deceased	20 years
2.	Income of the deceased	Rs.3600 /- per month
3.	After adding future prospects @ 50%	Rs.5400/- per month Rs.64,800/- per annum
4.	Deduction @ 1/2 towards personal expenses	Rs.32,400/-
5.	Total income after deducting personal expenses	Rs.32,400/-
6.	After applying Multiplier of '18'	Rs.32,400/- x 18 Rs.5,83,200/-
7.	Funeral Expenses	Rs.25,000/-
	Total Compensation	Rs.6,08,200/-

2.1 As regards the quantum of compensation in respect of Uma Shankar (deceased), his legal representatives were held entitled to the following compensation by the MACT:-

Sr. No.	Heads of Claim	
1.	Age of the deceased	64 years
2.	Income of the deceased	Rs.6000/- per month Rs.72,000/- per annum
3.	Deduction @ 1/4 towards personal expenses	Rs.18000/- per annum
4.	Total income after deducting personal expenses	Rs.54,000/- per annum
5.	After applying Multiplier of '7'	Rs.54,000/- x 7 Rs.3,78,000/-
6.	Funeral expenses	Rs.25,000/-
7.	Consortium	Rs.1,00,000/-
	Total Compensation	Rs.5,03,000/-

3. The insurance company assails the award primarily on the ground that the minimum wages were not correctly assessed and the future prospects were also granted on the higher side resulting into grant of higher compensation.

4. Learned counsel for the appellant-insurance company, while

assessing monthly income of deceased (Anil Kumar) as Rs.3600/- per month, which as per learned counsel should have been Rs.3200/- per month and future prospects should have been 40% instead of 50%. In the case of Uma Shankar, it has been stated that the income was wrongly assessed as Rs.6,000/- per month, whereas, it should have been Rs.3200/- per month.

5. However, learned counsel has also very fairly submitted that in view of the judgment of the Apex Court in the cases 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, (2018) 18 SCC 130*, not much substantial difference would be made in the compensation and there would be only minor reduction in the same. He fairly submits that in view of the aforesaid judgments, nothing in fact survives in the instant appeals.

6. In view of the fair stand taken by learned counsel for the appellant, the instant appeals are dismissed.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

April 28, 2026

vcgarg	Whether speaking/reasoned:	Yes/No
	Whether reportable:	Yes/No