



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

122

FAO-4231-2015 (O&M)
Date of decision : 20.01.2026

Prithpal

..... Appellant

versus

Raju @ Raj Kumar and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Anil Kumar Sharma, Advocate
for the appellant.

Mr. Amrinder Sidhu, Advocate
for respondent No.3-Insurance Co.

PANKAJ JAIN, J. (Oral)

1. Claimant is in appeal seeking enhancement of compensation awarded by the Tribunal.
2. Claimant is an injured victim of motor vehicular accident dated 10.12.2011. Injury suffered by him has rendered him permanently disabled to the extent of 75%. He is unable to move and speak. Tribunal assessed compensation taking his permanent disability of 75% into consideration.
3. In the considered opinion of this Court, keeping in view the state of injured where he is unable to speak and move, Tribunal ought to have taken his functional disability as 100%. Accordingly, the compensation needs to be re-worked.
4. In *Sidram Vs. The Divisional Manager, United India Insurance Co., Ltd. & anr., 2023(1) RCR (Civil) 44* Supreme Court considered the entire series of judgments and granted compensation for



pecuniary and non-pecuniary expenses under the following heads :-

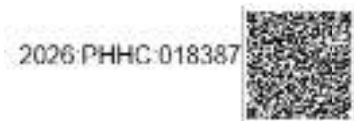
S.No.	Compensation
1.	Loss of earning due to disability
2.	Loss of earning for 6 months
3.	Medical expenses
4.	Future medical expenses
5.	Attendant Charges
6.	Litigation charges
7.	Loss of conveyance
8.	Pain and suffering
9.	Marriage prospects
10.	Loss of amenities

5. In **Kumari Laxmisree Vs. The Managing Director, Ksrctc Depot, Bengaluru** passed in Civil Appeal No.4493 of 2025 (Arising out of Slp(C) No.2695 of 2024 decided on 05.03.2025, Supreme Court dealt with the case of a house wife rendered 100% permanently disabled due to motor vehicular accident observing as under :-

- “13. For the purpose of attendant charges, it is not in dispute that the claimant-appellant suffered 100% permanent disability due to the accident. She would require lifelong support and an attendant to assist her in his daily activities. This Court in *Kajal v. Jagdish Chand*, (2020) 4 SCC 413 had observed that for determining the attendant charges, the requirement of the claimant must be taken into consideration.
14. In our view, in furtherance of the above-mentioned explosion of law, it would be just and fair to award a compensation of Rs.21,60,000/- (Rs. 10,000 x 12 x 18) to the claimant-appellant, towards the head of attendant charges.
15. As a result of the discussion above, the compensation payable to the claimant-appellant in accordance with the law is as follows :

CALCULATION OF COMPENSATION

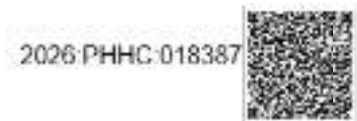
Compensation Heads	Amount Awarded	In Accordance with
Monthly Income	Rs.10,000/-	Master Ayush v. the Branch Manager, Yearly Income Rs.1,20,000/- Reliance General Insurance Co. Ltd. & Anr. (2022) 7 SCC 738 Para 10
Yearly Income	Rs.1,20,000/-	
Future Prospects (40%)	Rs.1,20,000/- +48,000/- = Rs.1,68,000/-	National Insurance Co. Ltd. v. Pranay Sethi (2017) 16 SCC 680 Para 42 and 59
Multiplier (18)	Rs.1,68,000/- x 18 =Rs. 30,24,000/-	



<i>Permanent Disability (100%)</i>	<i>100% of 30,24,000/- = Rs.30,24,000/-</i>	<i>Arvind Kumar Mishra v. New India Insurance Co. Ltd., (2010) 10 SCC 254 Para 13 and 14</i>
<i>Loss of Income/Future Earnings due to Disability</i>	<i>Rs.30,24,000/-</i>	
<i>Attendant charges</i>	<i>10,000x12x18 = Rs.21,60,000</i>	<i>Kajal v. Jagdish Chand (2020) 4 SCC 413 Para 25, 28 & 29</i>
<i>Future Medical expenditure</i>	<i>Rs.5,00,000/-</i>	
<i>Marriage prospects</i>	<i>Rs.3,00,000/-</i>	
<i>Special Diet & Transportation</i>	<i>Rs.1,00,000/-</i>	<i>Sidram v. Divisional Manger Transportation, United India Insurance Ltd. (2023) 3 SCC 439 Para 89</i>
<i>Pain and suffering</i>	<i>Rs.10,00,000/-</i>	<i>K.S. Muralidhar v. R.Subbulakshmi and Anr. 2024 SCC Online SC 3385 Para 13 and 14</i>
<i>Loss of Income during treatment (for 28 Days)</i>	<i>Rs.10,000/-</i>	-
<i>Loss of Amenities</i>	<i>Rs.2,00,000/-</i>	<i>Mohd. Sabeer alias Shabir Hussain v. Regional Manager, U.P. State Road Transport Corporation, (2022) SCC Online SC 1701 Para 23 and 26</i>
<i>Artificial Limb</i>	<i>Rs.26,58,420/-</i>	
<i>Total</i>	<i>Rs.99,52,420/-</i>	

6. Keeping in view the aforesaid precedents, the compensation payable to the appellant is re-worked as under:-

Income has been rightly assessed by the Tribunal as 5,230/-. Future prospects of 40% need to be added. Multiplier of 17 needs to be applied. Thus, loss of income shall be **Rs.5230x12 = 62760+40%x17 = Rs.14,93,688/-**. Medical expenses of Rs.9,62,869/- awarded by the Tribunal on actual basis need no modification. The same are maintained. For pain and suffering, the claimant is awarded a sum of Rs.5 lakh. Rs. 1 lakh for special diet. He needs



transportation for whole of his life. He is awarded a sum of Rs. 5 lakh for the same. Rs. 5 lakh is awarded for loss of amenities. Attendant charges shall be **Rs.5230x12 = 62760x17 = Rs.10,66,920/-**. For loss of marriage prospects Rs.5 lakh is awarded. Interest @ 7% per annum from the date of filing of petition till the date of actual realization.

- 7. Disposed off, accordingly.
- 8. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

(PANKAJ JAIN)
JUDGE

20.01.2026
Dinesh

Whether speaking/reasoned :	Yes
Whether Reportable :	No