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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

FAO-6011-2015 (O&M)

Date of Decision : 13.01.2026

MANGE RAM (DECEASED) THR LRS AND ORS Appellants
VERSUS

BUTA KHAN AND ORS Respondents

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Sandeep Kumar Yadav, Advocate for the appellants.

Mr. Satpal Dhamija, Advocate for respondent No.3.

ALKA SARIN, J. (ORAL)

1. The present appeal has been preferred by the claimant-appellants aggrieved by the quantum of compensation awarded by the Motor Accident Claims Tribunal, Narnaul (hereinafter referred to as the ‘Tribunal’) vide award dated 09.12.2014.
2. Since the factum of the accident is not in dispute, the facts, as recorded in the impugned award passed by the Tribunal, are not being adverted to herein for the sake of brevity.
3. The Tribunal in the present case had awarded the following compensation :

Sr. No.	Heads	Compensation Awarded
1.	Monthly income	₹5,000
2.	Annual income	[₹5,000 x 12] = ₹60,000
3.	Deduction @50%	[₹60,000 -₹30,000] = ₹30,000
4.	Multiplier of ‘11’	[₹30,000 x 11] = ₹3,30,000
5.	Last rites	₹25,000
	Total Compensation	₹3,55,000
	Interest	@ 9% per annum

4. Learned counsel for the claimant-appellants would contend that the income of the deceased has wrongly been assessed as ₹5,000 per month as the minimum wages of an unskilled worker prevailing at the time of the accident were ₹5,341 per month. Learned counsel would further contend that though the claimant-appellants do not challenge the deduction made and the multiplier as applied by the Tribunal, however, no addition has been made towards future prospects which ought to have been 10% and that no amount has been awarded under the head loss of consortium to claimant-appellant No.1 being the son. It is further the contention of the learned counsel that the amounts awarded under the conventional heads i.e. loss of estate and funeral expenses are not in accordance with the law laid down by the Hon'ble Supreme Court. In support of his contentions the learned counsel for the claimant-appellants has relied upon the judgments of the Hon'ble Supreme Court in the cases of **National Insurance Company Ltd. vs. Pranay Sethi & Ors. [(2017) 16 SCC 680]**, **Magma General Insurance Company Limited vs. Nanu Ram alias Chuhru Ram & Ors. [(2018) 18 SCC 130]** and **N. Jayasree & Ors. vs. Cholamandalam M.S General Insurance Company Ltd. [2021(4) RCR (Civil) 642]**.

5. *Per contra*, the learned counsel for respondent No.3-Insurance Company has vehemently argued that sufficient amount has already been awarded as compensation in the present case and that there is no scope of any enhancement.

6. Heard.

7. In the present case, the Tribunal has assessed the income of the

deceased as ₹5,000 per month, however, the minimum wages of an unskilled worker prevailing at the time of the accident were ₹5,341 per month and as such the income of the deceased is assessed as ₹5,341 per month. Since there is no challenge to the deduction made and the multiplier as applied by the Tribunal, the same are maintained. Further, no addition has been made towards future prospects. As per the law laid down by the Hon'ble Supreme Court in the case of **Pranay Sethi** (supra), addition @ 10% is made towards future prospects.

8. The amount awarded under the conventional heads is on the lower side and no amount has been awarded under the head 'loss of consortium'. Hence, as per the law laid down by the Hon'ble Supreme Court in the cases of **Pranay Sethi** (supra), **Magma General Insurance Company Limited** (supra) and **N. Jayasree** (supra), the claimant-appellants would be entitled to ₹18,000 (₹15,000 + 20% increase) towards loss of estate and ₹18,000 (₹15,000 + 20% increase) towards funeral expenses. The claimant-appellant No.1, being the son of the deceased, would also be entitled to ₹48,000 (₹40,000 + 20% increase) towards loss of consortium.

9. Accordingly, the reworked compensation is as under :

Sr. No.	Heads	Compensation Awarded
1.	Monthly income	₹5,341
2.	Annual income	[₹5,341 x 12] = ₹64,092
3.	Deduction @50%	[₹64,092 - ₹32,046] = ₹32,046
4.	Future prospects @ 10%	[₹32,046+ ₹3,204] = ₹35,250
5.	Multiplier '11'	[₹35,250 x 11] = ₹3,87,750
6.	Loss of estate	₹18,000
7.	Funeral expenses	₹18,000
8.	Loss of Consortium : (i) Parental (child)	₹48,000
9.	Total Compensation	₹4,71,750

10. The amount in excess of and over and above the amount awarded by the Tribunal shall also attract interest @ 7.5% per annum from the date of filing of the claim petition till the realization of the entire amount. The amount shall be apportioned between the claimant-appellants as directed by the Tribunal.

11. In view of the decision by the Hon'ble Supreme Court in **Parminder Singh vs. Honey Goyal & Ors. [AIR 2025 (SC) 1713]**, after calculation of the enhanced amount, the same be transferred by respondent No.3-Insurance Company in the bank accounts of the claimant-appellants within a period of six weeks from today. The share of the minor claimant-appellant(s) shall be kept in an FDR with a nationalized bank fetching maximum rate of interest. The particulars of the bank accounts along with the requisite documents in support thereof shall be furnished by the claimant-appellants to respondent No.3-Insurance company within a period of two weeks from today and needful shall be done by respondent No.3-Insurance Company after verification thereof within a period of four weeks thereafter along with up-to-date interest. The compliance shall be reported by the Bank to the Tribunal concerned.

12. In view of the above discussion, the present appeal is allowed and the award passed by the Tribunal is modified accordingly. Pending applications, if any, also stand disposed off.

13.01.2026
Aman Jain

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: Yes/No