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

FAO-3940-2024 (O&M)
Date of decision: 11.03.2026

Poonam

...Appellant

Versus

Yash and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. R.K. Poonia, Advocate and
Mr. R.P.S. Jammu, Advocate for the appellant.

Mr. Sanjeev Kodan, Advocate for respondent No.3.

VIKAS BAHL, J. (ORAL)

1. Mother of the deceased-Krishan @ Sahil has filed the present appeal for enhancement of compensation. The Motor Accident Claims Tribunal, vide award dated 20.07.2024 had awarded an amount of compensation of Rs.15,60,120/- to the claimants along with interest on account of death of Krishan @ Sahil which had occurred in a motor vehicular accident which took place on 06.02.2022. The only issue that arises for consideration before this Court is whether the appellant is entitled to additional compensation or not as other aspects are not being disputed.

2. Learned counsel for the appellant has submitted that in the present case, amount which has been awarded on account of funeral expenses and loss of estate is Rs.16,500/- on each account whereas

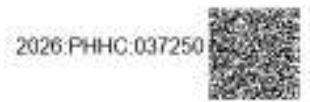


appellant is entitled to an amount of Rs.18,800/- on each of the said account in view of further 10% increase as per the settled law. It is further submitted that no amount on account of loss of consortium had been awarded and an amount of Rs.48,000/- is to be awarded to the appellant alone on the said account. It is thus submitted that the appellant would be entitled to additional compensation of Rs.52,600/- and the said additional compensation should be awarded to the appellant along with interest at the rate of 9% per annum from the date of filing of the claim petition till its realisation. In support of his arguments, learned counsel for the appellant has relied upon the law laid down by the Hon'ble Supreme Court in case titled as **Sarla Verma (Smt.) and others Vs. Delhi Transport Corporation and another** reported as **(2009) 6 SCC 121**, **National Insurance Company Limited Vs. Pranay Sethi and others** reported as **(2017) 16 SCC 680**, and **Magma General Insurance Company Limited Vs. Nanu Ram alias Chuhru Ram and others** reported as **(2018) 18 SCC 130**.

3. Learned counsel for respondent No.3-Insurance Company, on the other hand, has submitted that the rate of interest which is sought to be claimed by the appellant i.e., 9% per annum is highly excessive and the highest rate of interest that can be awarded on the additional amount of compensation is at best 6% per annum.

4. This Court has heard learned counsel for the parties and has perused the paper book and is of the opinion that the appellant is entitled to additional amount of compensation as mentioned above.

5. It is not in dispute that the appellant would be entitled to an amount of Rs.48,000/- on account of loss of consortium which had not been



granted by the Tribunal. The appellant would also be entitled to an amount of Rs.18,800/- each on account of funeral expenses and loss of estate whereas the Tribunal had awarded an amount of Rs.16,500/- on each of the said account and has not taken into consideration 10% further increase as per the settled law. With respect to the rate of interest, this Court has been consistently awarding rate of interest at the rate of 7.5% per annum, which rate of interest is also reasonable in the present case.

6. Keeping in view the abovesaid facts and circumstances, the present appeal is partly allowed and the award dated 20.07.2024 is modified and respondent No.3-Insurance Company is directed to pay an additional amount of compensation to the tune of Rs.52,600/- to the appellant along with interest at the rate of 7.5% per annum from the date of filing of the claim petition till its realisation within a period of six weeks from today.

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

11.03.2026
Pawan

(VIKAS BAHL)
JUDGE

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