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

FAO-8347-2015 (O&M)  
Date of decision: 01.04.2026

Pushpa Rani

...Appellant

Versus

Punjab State Bus Stand Management Company Limited and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Bahadur Singh, Advocate and  
Ms. Rajni, Advocate for the appellant.

Mr. Sandeep Singh, AAG, Punjab.

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**VIKAS BAHL, J. (ORAL)**

1. The mother of the deceased-Khushi Verma has filed the present appeal for enhancement of compensation. The Motor Accident Claims Tribunal, vide award dated 04.05.2015 had awarded an amount of compensation of Rs.3,75,000/- to the claimant along with interest on account of death of Khushi Verma which had occurred in a motor vehicular accident which took place on 17.07.2014. 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, the deceased was 5 years of age at the time of accident and was a student of UKG at Jesses and Marry Convent School, Bhurewala and



the Tribunal had taken her notional income to be Rs.15,000/- per annum i.e., Rs.1250/- per month. It is submitted that as per the latest judgments of the Hon'ble Supreme Court passed in the case of **Baby Sakshi Greola Vs. Manzoor Ahmad Simon and another** reported as **2025(1) RCR (Civil) 238** as well as in the case of **Karuna Parmar Vs. Prakash Sinha and others and other connected matter**, reported as **2025 INSC 1244**, it has been held that the deceased child is not to be given notional income but the minimum salary is to be assessed by taking into consideration the minimum wages payable to a skilled worker in the concerned State as the said amount would be the minimum amount which the child would have been able to earn when the child became a major. It is submitted that in view of the abovesaid judgments, the minimum wages payable to the skilled worker w.e.f. 01.01.2014 in the State of Haryana was Rs.6159.50 and thus, monthly income of the deceased should be taken as Rs.6159.50.

3. It is further argued that in the present case, multiplier which had been applied by the Tribunal was '15' which is on the lower side whereas multiplier in the present case should have been applied as '18'. It is submitted that the Hon'ble Supreme Court in the case of **Abhimanyu Partap Singh Vs. Namita Sekhon and another**, reported as **2022(3) PLR 99**, had after taking into consideration the law laid down in various judgments observed that in the case of a 5½ years old child, multiplier of '18' would apply. It is further submitted that no amount had been given on accounts of loss of consortium, loss of estate and funeral expenses by the Tribunal and on the said accounts, amounts of Rs.48,400/-, Rs.18,150/- and Rs.18,150/- respectively should be paid to the appellant. It is thus,



submitted that the appellant be awarded an additional compensation after giving benefit of the above 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.

4. Learned State Counsel, 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. It is further submitted that the Tribunal had already awarded an amount of Rs.75,000/- towards non-pecuniary damages and in case the appellant wishes to claim separate amounts on accounts of loss of consortium, funeral expenses and loss of estate then the said amount of Rs.75,000/- should be deducted from the total amount.

5. Learned counsel for the appellant, in view of the objection raised on behalf of the respondents-State, has very fairly submitted the revised chart in which the amount awarded on account of non-pecuniary damages i.e., Rs.75,000/- has been reflected and taken into consideration. The revised chart submitted by learned counsel for the appellant is reproduced hereinbelow:-

*“FAO No.8347 of 2015*

*APPELLANT HEREIN: CLAIMANT(S)*

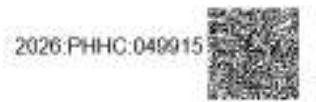
*DATE OF ACCIDENT: 17-07-2014*

*NATURE OF CASE DEATH*

*AGE OF DECEASED/INJURED: 5 YEARS*

*DRIVING LICENCE/ROUTE PERMIT/INSURANCE: N/A*

*(Respondents No.1, 2 & 3 are jointly and severally liable)*



DETAILS OF RELIEF GRANTED/CLAIMED

|                                     |                                                 |                                                                                              |
|-------------------------------------|-------------------------------------------------|----------------------------------------------------------------------------------------------|
| Details                             | Before the tribunal                             | Compensation claimed as per judgments of Sarla Verma, Pranay Sethi & Mngma General Insurance |
| Income                              | Monthly: Rs.1250/-                              | Monthly: Rs.6159.50                                                                          |
| (1250x12)=                          | Annual: Rs.15,000/-                             | (6159.50 x 12)<br>Annual: Rs.73,914/-                                                        |
| Deduction                           | -NIL-                                           | -NIL-                                                                                        |
| Future Prospects                    | Rs.75,000/-                                     | -NIL-                                                                                        |
| Multiplier                          | 15<br>(15000x15=2,25,000/-)                     | 18<br>(73914x18=13,30,452/-)                                                                 |
| Loss of estate                      | -NIL-                                           | Rs.18,150/-                                                                                  |
| Funeral expenses                    | -NIL-                                           | Rs.18,150/-                                                                                  |
| (Non-pecuniary damages Rs.75,000/-) |                                                 |                                                                                              |
| Loss of consortium                  | Parental ----<br>Filial – NIL<br>Spousal’s ---- | Rs.48,400/-                                                                                  |
| Total Compensation                  | Rs.3,75,000/-                                   | Rs.14,15,152/-<br>(-) 03,75,000/-<br><u>Rs.10,40,152/-</u>                                   |
| Interest                            | 7.5% p.a.                                       | 7.5% p.a.                                                                                    |

Dated: 01-04-2026      Name & Signatures of Advocate with P.No.

Sd/- Bahadur Singh & Sd/- Miss Rajni

P/875/90                      P/1056/2010

PH-220962                      PH-224040

Advocates

Counsels for the appellant”

6.                This Court has heard learned counsel for the parties and has perused the paper book.
7.                The first issue which requires consideration is as to what



amount could be assessed as monthly income of the deceased who was admittedly five years of age at the time of accident. The Tribunal had taken yearly income of the deceased as Rs.15,000/- while assessing the compensation. The Hon'ble Supreme Court in the case of **Karuna Parmar** (Supra), while examining the case of a six years old child and after taking into consideration the law laid down in the case of **Baby Sakshi Greola** (Supra), had observed that while assessing the income, the minimum wages payable to a skilled workman, in the concerned State, is required to be taken into consideration in the case of a deceased child, as the deceased child would be able to earn the same on becoming a major. Relevant portion of the said judgment is reproduced hereinbelow:-

**"Deceased Child**

14. Coming to the case of the deceased child, we are not inclined to accept the reasoning of the Tribunal on the yearly income. Recently, in **Baby Sakshi Greola v. Manzoor Ahmad Simon and Another 2024 SCC Online SC 3692**, J. B.R. Gavai, writing for the bench, has elaborated that:

"29. This Court in the case of *Kajal* (supra) has held that taking notional income is not the correct approach. Instead, the minimum wages payable to a skilled workman in the concerned State has to be taken into consideration because, that would be the minimum amount which she would have earned on becoming a major. In this case, the minimum wage payable to a skilled workman in the State of Delhi at the time of the accident, i.e., 2nd June 2009, was Rs. 4,358/- per month."

(Emphasis supplied)"

8. It is not in dispute that the minimum wages payable to a skilled



worker in the State of Haryana on the relevant date i.e., date of accident dated 17.07.2014 was Rs.6159.50 per month and thus, keeping in view the law laid down in the abovesaid judgments, claim made by the appellant to the effect that the monthly income of the deceased should be taken as Rs.6159.50 is in accordance with law and deserves to be accepted.

9. The second question that arises for adjudication before this Court is as to whether the multiplier of '18' is required to be taken into consideration in the present case as has been argued on behalf of the appellants. The Hon'ble Supreme Court in the case of ***Abhimanyu Partap Singh*** (Supra) while considering the case of a claimant who was 5½ years of age and who was seriously injured had observed that multiplier of '18' should be applied in the same. Para 15 of the said judgment is reproduced hereinbelow:-

*“15. It is also relevant to observe that in the judgment of ***Sarla Verma (Smt.) & Others v. Delhi Transport Corporation and Another - (2009) 6 SCC 121*** and ***National Insurance Company Limited v. Pranay Sethi & Others - (2017) 16 SCC 680***, while replacing the schedule of Motor Vehicle Act, it is not made clear what multiplier would be applicable below the age of. ***In the case of Kajal (supra) the injured was 12 years of the age, however, the multiplier of 18 has been applied. Therefore, taking guidance from the judgment of Kajal (supra), for determination of the compensation in the present case, the multiplier of 18 shall be applicable.***”*

A perusal of the above would show that reference was also made to the judgment of the Hon'ble Supreme Court in the case of ***Kajal Vs. Jagdish Chand*** reported as ***(2020) 4 SCC 413***, in which the



injured/claimant was 12 years of age and the multiplier applied was '18' and thus, for the claimants-injured, who was 5½ years of age and 12 years of age, multiplier of '18' was applied. Since the deceased in the present case was 5 years old at the time of accident which is almost the same age as that of the deceased in the case of *Abhimanyu Partap Singh* (Supra), this Court is of the opinion that multiplier of '18' is to be applied. The amounts on accounts of loss of estate, funeral expenses as well as loss of consortium have been rightly mentioned in the calculation chart. In the said circumstances, the appellant is entitled to an additional compensation of Rs.10,40,152/-. 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.

10. Keeping in view the abovesaid facts and circumstances, the present appeal is partly allowed and the award dated 04.05.2015 is modified and respondent Nos.1 and 2 are directed to pay an additional amount of compensation to the tune of Rs.10,40,152/- 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.

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

01.04.2026

Pawan

**Whether speaking/reasoned:-**  
**Whether reportable:-**

**(VIKAS BAHL)**  
**JUDGE**

**Yes/No**  
**Yes/No**