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126-1

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

FAO-1807-2017 (O&M)

Date of decision : 06.04.2026

Nafe Singh and others

...Appellants

Versus

Kanwar Pal and another

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: M. Akash Mehra, Advocate,
for Mr. Ajay Ghangas, Advocate,
for the appellants.

Mr. N.K. Chhokar, Advocate,
for respondent No.1-driver.

None for respondent No.2-owner.

HARPREET KAUR JEEWAN, J.

1. Appellants-claimants are seeking enhancement of the compensation amount awarded by the Motor Accident Claims Tribunal, Panipat (*hereinafter referred to as the 'Tribunal'*), regarding the death of Krishan (since deceased), in a roadside accident, which took place on 28.02.2013.

2. The Tribunal vide Award dated 28.07.2016, awarded compensation of Rs.8,28,000/- to the claimants, holding that Krishan died due to the road-side accident which was a result of rash and negligent driving of the tractor-trolley bearing registration No.HRV-4594, by respondent No.1.



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2.2 The Tribunal considered the age of the deceased as 19 years; assessed the notional income of the deceased as Rs.6,000/- per month, and the respondents-driver & owner of the tractor-trolley were ordered to pay compensation to the appellant-claimants in the following manner:-

Sr. No.	Heads	Compensation Awarded
1.	Annual income	Rs. 72,000/- (6,000 X 12)
2.	Deduction towards personal expenses (50%)	Rs.36,000/- (72,000 - 36,000)
3.	Multiplier	18
4.	Loss of dependency	Rs.6,48,000/- (36,000 X 18)
5.	Funeral expenses	Rs.25,000/-
6.	Loss of love and affection	Rs.1,50,000/- (50,000 X 3)
7.	Loss of estate	Rs.5,000/-
8.	Total :	Rs.8,28,000/-

2.3 The present appeal, filed by the claimants seeking enhancement, has been contested by the driver and owner of the offending vehicle.

3. Learned counsel for the appellants contends that Future Prospects have not been added while calculating dependency and even compensation awarded under the conventional heads needs enhancement. Cites Sarla Verma & Ors. vs. Delhi Transport Corporation & Ors., (2009) 6 SCC 121, National Insurance Company Ltd. vs. Pranay Sethi & Ors., (2017) 16 SCC 680 and Magma General Insurance Company Limited vs. Nanu Ramalias Chuhru Ram & Ors., (2018) 18 SCC 130.

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4. *Per contra*, learned counsel appearing on behalf of respondent No.1-driver has reasserted the reasons recorded by the Tribunal, however, could not dispute that the Tribunal has not considered future prospects of the deceased while calculating compensation.

5. I have heard learned counsel for the parties and perused the paper book.

6. It is not disputed that appellants are the parents of the deceased and at the time of his death, he was 19 years of age. The Tribunal has considered the monthly income of the deceased as Rs.6,000/- per month, however, while calculating dependency, future prospects have not been considered. As such, an addition of 40% towards future prospects is to be considered, while computing the compensation.

7. The appellant-claimant Nos.1 & 2 are the parents of the deceased and appellant-claimant No.3 is the minor brother of the deceased, as such, all are entitled for compensation under the head of loss of consortium. The amount awarded under the other conventional heads also needs to be revised in view of the latest law laid down by the Hon'ble Supreme Court in *Pranay Sethi (Supra)*.

8. In view of the facts and circumstances of this case and the decisions referred to hereinabove, the compensation is re-worked as under:-

Sr. No.	Heads	Compensation Awarded
1.	Monthly income	Rs.6000/-

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2.	Annual income	Rs.72,000/- [6000 x 12]
3.	Deduction @ 50%	Rs.36,000/- [72,000 – 36,000]
4.	Future prospects @ 40%	Rs.50,400/- [36,000 + Rs.14,400]
5.	Multiplier of '18'	Rs.9,07,200/- [Rs.50,400 x 18]
6.	Loss of dependency	Rs.9,07,200/-
7.	Funeral expenses	Rs.18,000/-
8.	Loss of estate	Rs.18,000/-
9.	Loss of consortium (spousal, filial and parental)	Rs.1,44,000/- [Rs.48,000/- x 3]
	Total Compensation	Rs.10,87,200/-
	Interest @ 7.5% per annum	On excess amount

9. In view of the decision by the Hon'ble Supreme Court in *Parminder Singh vs. Honey Goyal & Ors., 2025 INSC 361*, after calculation of the enhanced amount, the same shall be transferred by respondent Nos.1 & 2 in the Bank Accounts of the claimant-appellants within a period of 06 weeks from today. The particulars of the bank account(s) along with the requisite documents in support thereof shall be furnished by the claimant-appellants to respondent Nos.1 & 2-driver & owner within a period of two weeks from today and needful shall be done by respondent Nos.1 & 2 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.

10. In view of the above discussion, the present appeal is partly allowed and the Award of the Tribunal is modified accordingly.



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11. Pending Miscellaneous Application(s), if any, shall also stand disposed of.

06.04.2026

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No