

**244-2****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****FAO-3367-2017 O&M)****Date of Decision : 21.01.2026**

Paramjit Kaur & Ors

... Appellant(s)

Versus

Jagir Singh & Ors

... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Chander Shekhar Singhal, Advocate for the appellants.
Mr. Rajbir Singh, Advocate for respondent No.3.
Mr. Parmod Chauhan, Advocate for respondent Nos.4 and 5.
Mr. Pradeep Kumar, Advocate for respondent No.6.

ALKA SARIN, J. (Oral)**CM-11118-CII-2017**

1. For the reasons mentioned therein, the application seeking condonation of delay of 22 days in refiling the appeal is allowed and the delay of 22 days in refiling the appeal is condoned.

CM-11119-CII-2017

2. For the reasons mentioned therein, the application seeking condonation of delay of 271 days in filing the appeal is allowed and the delay of 271 days in filing the appeal is condoned. However, the claimant-appellants shall not be entitled to any interest for the period of delay in filing the appeal.

FAO-3367-2017

3. The present appeal has been preferred by the claimant-appellants aggrieved by the quantum of compensation awarded by the Motor Accident

Claims Tribunal, Yamuna Nagar (hereinafter referred to as ‘Tribunal’) vide the impugned award dated 17.12.2015 in a motor vehicle accident which occurred on 26.06.2012.

4. Since the factum of the accident is not in dispute, the facts are not being adverted to for the sake of brevity.

5. The Tribunal in the present case had awarded the following compensation :

Sr. No.	Heads	Compensation Awarded
1	Monthly Income	₹6,000/-
2	Annual Income	₹72,000/- [₹6,000 x 12]
3	Deduction - 1/4 th	₹54,000/- [₹72,000 - ₹18,000]
4	Multiplier - 15	₹8,10,000/- [₹54,000 x 15]
5	Loss of estate	₹5,000/-
6	Funeral expenses	₹25,000/-
7	Loss of consortium	₹2,50,000/-
	Total Compensation	₹10,90,000/- (written as ₹11,20,000/-
	Interest	8%

6. Learned counsel for the claimant-appellants would contend that he does not challenge the income, deduction and the compensation awarded under the conventional heads as well as under the head loss of consortium. He, however, states that the Tribunal has wrongly applied a multiplier of 15 and has also not made any addition towards future prospects. Learned counsel would further contend that the deceased was 35 years of age at the time of the accident, hence, a multiplier of 16 and an addition of 40% towards future prospects ought to have been applied. In support of his contentions, he has relied upon the judgments of the Hon’ble Supreme Court in the cases of **Sarla Verma & Ors. vs. Delhi Transport Corporation & Anr. [(2009) 6 SCC 121]**

and National Insurance Company Ltd. vs. Pranay Sethi & Ors. [(2017) 16 SCC 680].

7. *Per contra*, the learned counsel for the respondent-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.

8. I have heard the learned counsel for the parties.

9. Admittedly, no appeal has been preferred by the Insurance Company. In the present case, since no challenge has been laid by the learned counsel for the claimant-appellants to the income, deduction and the compensation awarded under the conventional heads as well as under the head loss of consortium, the same are maintained accordingly. However, the Tribunal has not made any addition towards future prospects as also a multiplier of 15 has wrongly been applied inasmuch as the deceased was admittedly 35 years of age, hence, as per the law laid down by the Hon’ble Supreme Court in the cases of **Pranay Sethi** (supra) and **Sarla Verma** (supra), 40% addition is made towards future prospects and a multiplier of 16 would be applicable. Accordingly, the reworked compensation is as under :

Sr. No.	Heads	Compensation Awarded
1	Monthly Income	₹6,000/-
2	Annual Income	₹72,000/- [₹6,000 x 12]
3	Deduction - 1/4 th	₹54,000/- [₹72,000 - ₹18,000]
4	Future Prospects - 40%	₹75,600/- [₹54,000 + ₹21,600]
5	Multiplier - 16	₹12,09,600/- [₹75,600 x 16]
6	Loss of estate	₹5,000/-
7	Funeral expenses	₹25,000/-
8	Loss of consortium	₹2,50,000/-
	Total Compensation	₹14,89,600/-

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. However, the claimant-appellants shall not be entitled to any interest for the period of delay in filing the appeal.

11. In view of the decision by the Hon'ble Supreme Court in **Parminder Singh Vs. Honey Goyal & Ors. [AIR 2025 SC 1713 = 2025 SCC OnLine SC 567]**, after calculation of the enhanced amount, the same be transferred by the Insurance Company in the bank account(s) of the claimants within six weeks from today and the apportionment thereof shall be as per the direction of the Tribunal. The particulars of the bank account(s) alongwith the requisite documents(s) in support thereof shall be furnished by the claimants to the Insurance company within a period of two weeks from the date of this order and needful shall be done by the Insurance Company after verification thereof within four weeks thereafter alongwith 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 stands modified accordingly. Pending applications, if any, also stand disposed off.

21.01.2026
Yogesh Sharma

(**ALKA SARIN**)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO