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

FAO-6043-2017 (O&M)

Ram Niwas and ors.

.....Appellants

vs.

Magan Singh and ors.

.....Respondents

Date of Reserve: 29.04.2026

Date of Pronouncement: 30.04.2026

Uploaded on:- 04.05.2026

Whether only the operative part of the judgment is pronounced? ***No***
Whether full judgment is pronounced? ***Yes***

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Utsav Sharma, Mr. Sandeep K. Sharma &
Mr. Gurinder Pal Singh, Advocates
for the appellants.

None for respondent Nos. 1 and 2.

Ms Ritu Punj, Mr. Sahaj Punj, Advocates
for respondent No. 3-Insurance Company.

SUDEEPTI SHARMA J.

1. The present appeal is preferred against the award dated 09.11.2016 passed by the learned Motor Accident Claims Tribunal, Rewari (for short, 'the Tribunal') in the claim petition filed under Section 166 of the Motor Vehicles Act, 1988 on the ground that the compensation to the tune of Rs.9,00,000/- along with interest @ 7.5% per annum awarded to the appellants/claimants, on account of death of Manju Devi in a Motor Vehicular Accident, occurred on 21.03.2014 awarded by the learned Tribunal is on the lower side.



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2. Since the appellants are only asking for enhancement of compensation awarded by the learned Tribunal, a detailed narration of the facts of the case is not required to be reproduced here for the sake of brevity.

SUBMISSIONS OF LEARNED COUNSEL FOR THE PARTIES

3. The learned counsels for the claimants-appellants contends that the amount assessed by the learned Tribunal is on the lower side and deserves to be enhanced. Therefore, they pray that the present appeal be allowed and compensation be enhanced as per latest law.

4. He relies upon judgment of this Court in a case of ***National Insurance Co. Ltd vs. Dev Singh and others, 2026 NCPHHC 35980.***

5. Per contra, learned counsels for respondent No. 3-Insurance Company however, vehemently argues on the lines of the award. Therefore, they pray that the present appeal be dismissed.

6. I have heard learned counsel for the parties and perused the whole record of this case.

7. This Court in **FAO-1292-2006, titled as ‘Jasbir Singh and another Vs. Surjit Singh and others’, decided on 22.03.2018** while assessing the notional income of the housewife has held as under:-

*“In FAO No. 218 of 2014, a co-ordinate Bench of this Court, while relying upon the principles laid down in **Lata Wadhwa and others v. State of Bihar and others 2001(4) RCR(Civil) 673**), made the following observations:-*

“Learned counsel for the appellant has argued that even while noticing that the income of a skilled worker in 2012 was approximately Rs.8000/- the Tribunal has wrongly assessed the income of the deceased as Rs.9000/-. As per him once the notional income had



been taken a deduction had to be made for personal expenses. This argument is flawed. In Lata Wadhwa and others v. State of Bihar and others reported as 2001(4) RCR (Civil) 673 (where the accident had taken place in 1981) the Hon'ble Supreme Court evaluated the contribution of a house wife at Rs.3000/-per month. The accident in the present case took place after 23 years. In my considered opinion to tag a house wife as a 'skilled worker' alone does not do complete justice to her multifarious role as a home manager. Keeping in view the lapse of 23 years between the accident in the case of Lata Wadhwa and the present accident and my conclusion that a house wife is something more than a mere skilled worker it would not be unreasonable to estimate the contribution of the deceased in the present case at a higher figure. On the whole I see no reason for reducing the quantum."

7. I find sufficient reason to follow the judgment in FAO No. 218 of 2014, particularly as I am informed that the Special Leave Petition (SLP) filed against the order in this case has been dismissed by the Hon'ble Supreme Court. Similarly, the SLP filed in the other case cited by the appellants has also met the same fate. Consequently, these orders have attained finality, leaving no scope for further dispute regarding their binding nature.

8. It is imperative to acknowledge the multifaceted role of a housewife as a homemaker. Her contributions extend beyond measurable economic parameters, encompassing household management, child care, emotional support, and the upkeep of familial stability. These services, though often unrecognized in monetary terms, are invaluable to the functioning and well-being of a household. In assessing compensation, the court



must factor in this indispensable contribution, which would otherwise necessitate considerable expenditure if outsourced. In view of the above, it is just and reasonable to determine the monthly income of the deceased Charanjit Kaur, housewife at Rs.9,000/- per month, therefore, the award requires interference by the Court.”

8. A perusal of the impugned award shows that the age of the deceased was 45 years at the time of accident. The factum of age is not disputed by either of the party before this Court. Consequently, the age of the deceased is taken as 45 years and learned Tribunal has erred in law in applying the multiplier of 13 instead of 14.

9. A further perusal of the award reveals that deceased was stated to be house wife, earning Rs.20,000/- per month. No documentary evidence substantiating her income was produced before the learned Tribunal. However, the learned Tribunal has erred in taking income of deceased as Rs.6600/-per month. Therefore, this Court deems it fit to reassess the income of the deceased as a homemaker.

10. In light of the above legal position and having due regard to the facts and circumstances of the present case, this Court finds it appropriate to assess the notional income of the deceased- Manju Devi at **Rs.9,000/- per month.**

11. A further perusal of the award reveals that the learned Tribunal has rightly deducted 1/4 towards personal expenditure of the deceased. Furthermore, the amount granted for loss of consortium is on the lower side and no amount is granted for loss of estate and future prospects, therefore, this award requires indulgence of this Court.



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CONCLUSION

12. In view of the law laid down by this Court, the present appeal is allowed. The award dated 9.11.2016 is modified accordingly. The claimants/appellants are entitled to enhanced compensation as per the calculations made hereunder:-

<i>Sr. No.</i>	<i>Heads</i>	<i>Compensation Awarded</i>
1	Monthly Income	Rs.9,000/-
2	Future prospects @ 25%	Rs.2,250/- (25% of 9,000)
3	Deduction towards personal expenditure 1/4th	Rs.2,812/- (11,250 X 1/4)
4	Total Income	Rs.8,438 (11,250 – 2,812)
5	Multiplier	14
6	Annual Dependency	Rs.14,17,584/- (8,438 X 12 X 14)
7	Loss of Estate	Rs.15,000/-
8	Funeral Expenses	Rs.15,000/-
9	Loss of Consortium Parental: Rs.40,000 x 3 Spousal: Rs.40,000 x 1	Rs.1,60,000/-
10	Total Compensation	Rs.16,07,584/-
11	Deduction Amount Awarded by the Tribunal	Rs.9,00,000/-
12	Enhanced amount	Rs.7,07,584/- (16,07,584-9,00,000)

13. So far as the interest part is concerned, as held by Hon'ble Supreme Court in **Dara Singh @ Dhara Banjara Vs. Shyam Singh Varma 2019 ACJ 3176** and **R.Valli and Others VS. Tamil Nadu State Transport Corporation (2022) 5 Supreme Court Cases 107**, the claimants/appellant are granted the interest @ 9% per annum on the enhanced amount from the date of filing of claim petition till the date of its realization.

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14. Respondent No. 3-Insurance Company is directed to deposit the enhanced amount of compensation along with interest with the learned Tribunal within a period of two months from the receipt of copy of this judgment. The Tribunal is directed to disburse the enhanced amount of compensation along with interest in the accounts of the claimants/appellants. The claimants/appellants are directed to furnish their bank account details to the Tribunal.

15. Pending application (s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

29.04.2026

Gaurav Arora

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