

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****241****FAO-3736-2018(O&M)****Date of decision: 11.03.2026****Surender Singh & Another****...Appellant(s)****Vs.****Rajpal Singh & Others****...Respondent(s)***********CORAM: HON'BLE MS. JUSTICE NIDHI GUPTA**

Present:- Mr. Vishal Mittal, Advocate for
Mr. Ashish Yadav, Advocate
for the appellants.

Mr. Neeraj Yadav, Advocate
for the respondent No.1.

Mr. Om Pal Sharma, Advocate
for respondent No.3.

*********NIDHI GUPTA, J.**

Present appeal has been filed by the claimants seeking enhancement of compensation of Rs.6,00,000/- awarded by the Motor Accident Claims Tribunal, Rewari (hereinafter 'the learned Tribunal') vide Award dated 07.07.2017 passed in MACP Case No.484 dated 08.10.2015 filed under Section 166 of the Motor Vehicles Act (hereinafter "the Act"). The 2 claimants are the parents of deceased Sushila, who was 12 years old at the time of accident.



2. Brief facts of the case are that the Id. Tribunal on the basis of pleadings and oral & documentary evidence adduced by the parties, concluded that deceased Sushila had died due to the injuries suffered by her in a motor vehicular accident that took place on 30.08.2015 due to the rash and negligent driving of Car bearing registration No.HR-26-AV-1361 (hereinafter "the offending vehicle") being driven by respondent No.1, owned by respondent No.2 and insured by respondent No.3. The said compensation has been awarded along with interest @ 7.5% per annum. Respondents were held jointly and severally liable to pay the compensation.

3. Ld. counsel for the appellants seeks enhancement of compensation by submitting that in granting meagre compensation of only Rs.6 lakh, the learned Tribunal has failed to assess the future potential of the deceased who was only 12 years of age. At the time of death, the deceased was pursuing her study, and she was a bright and intelligent student. However, due to her untimely demise, hopes of the appellants have been ruined. The future prospects of the deceased were bright and there were bright chances of a good career of the deceased. In this circumstance, granting lumpsum amount of Rs.6 lakh without following any criteria and settled rules is not called for. Even interest has been granted on the lower side and the same should be enhanced to 18% per annum. It is accordingly prayed that the present appeal be allowed, the impugned



Award be modified, and appellants be awarded compensation of Rs.20 lakh along with interest @ 18%.

4. Per contra, Id. counsel for the respondents No.1 and 3 oppose the submissions made on behalf of the appellants and submit that the impugned Award suffers from no error; and present appeal be dismissed.

5. No other argument is made on behalf of the parties. I have heard learned counsel and perused the case file in detail. I find no merit in the submissions advanced on behalf of the appellants.

6. Perusal of record of the case shows that it was the pleaded case of the appellants before the learned Tribunal that prior to the accident, the deceased was a student and was an intelligent student with a bright future ahead of her. However, nothing has been brought to the notice of this Court to show that deceased was a student at the time of accident. It is not even the assertion of the appellants that deceased was earning anything. In this situation, no error can be found in the lumpsum amount of compensation of Rs.6 lakh awarded to the claimants along with interest @ 7.5% per annum. In support, reference is made to judgments of the Hon'ble Supreme Court in **Rajendra Singh and others vs National Insurance Company Limited and others, 2020 (3) RCR (Civil) 26** – wherein deceased was 12 years old and the Court had awarded compensation of Rs.2.95 lacs; and **Kishan Gopal and another vs Lala and others, 2013 ACJ 2594 (SC)** – wherein deceased was 10 years old and compensation of Rs.5 lacs was



awarded; and of this Court in **Shashi Bala vs Sudarshan Kumar and others**, 2015 ACJ 1728 – wherein deceased was 17 years old and compensation of Rs.5.00 lacs was awarded.

7. In view of the above-noted factual and legal position, no ground is made out for enhancement of the compensation awarded to the appellants. Resultantly, present appeal stands **dismissed**.

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

11.03.2026

Sunena

(Nidhi Gupta)

Judge

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No