Sr. No.128

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-4091-2018 (O&M)
Date of decision: 18th February 2026

LAXMI DEVI AND OTHERS **........Appellants**

versus

HAKAM AND OTHERS **........Respondents**

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Ashish Gupta, Advocate
for the appellants.

Service of respondent No.1 dispensed with
vide order dated 11.12.2019.

Mr. Nikhil Sabharwal, Advocate
for respondent No.3-Insurance Company
(through video conferencing).

HARPREET KAUR JEEWAN, J. (ORAL)

1. The appellants-claimants are seeking enhancement of the compensation awarded by the Motor Accident Claims Tribunal, Gurugram, vide Award dated 23.04.2018, on account of death of Vinay Kumar in a roadside accident, which took place in on 30.08.2015 near Brickkiln, ahead of village Durgapur, within the jurisdiction of Police Station Sadar Palwal.

2. As per the brief facts, the deceased was going on his motorcycle along with his wife Smt. Dheeraj and his daughter and they were hit by a car bearing Registration No.HR-27E-4492, which was being driven in a rash and negligent manner by respondent No.1. As a result of the injuries, the deceased died and his age was 30 years at the time of death. FIR No.554 of

2015, under Sections 279, 337 and 304-A IPC, was registered at Police Station Sadar Palwal.

3. The claim petition filed by the appellants was allowed by the Tribunal and the Insurance Company of the motorcycle was ordered to pay a sum of Rs.22,75,900/- as compensation to the appellants-claimants as per the following calculations:-

Sr. No.	Heads	Compensation Awarded
1.	Monthly income	Rs.10,000/-
2.	Annual income	Rs.1,20,000/- (Rs.10,000 X 12)
3.	Future prospects	40% (Rs.1,20,000/- + Rs.48,000/- = Rs.1,68,000/-)
4.	Deductions	1/4 (Rs.1,68,000/- - Rs.42,000/- = Rs.1,26,000/-)
5.	Multiplier	17 (Rs.1,26,000/- X 17 = Rs.21,42,000/-)
6.	Funeral Expenses	Rs.15,000/-
7.	Loss of Estate	Rs.15,000/-
8.	Loss of Consortium	Rs.40,000/-
9.	Medical Expenses (Bills/Receipts Ex.P-19 and Ex.P-20)	Rs.63,900/-
	Total	**Rs.22,75,900/-**
	Interest @ 7.5% per annum	

4. The present appeal filed by the appellants-claimants, seeking enhancement of compensation, has been contested by the Insurance Company.

5. Learned counsel for the appellants contends that his limited prayer is that the compensation towards 'Conventional Heads' has not been properly awarded. Cites ***National Insurance Company Ltd. vs. Pranay Sethi & Ors., (2017) 16SCC 680*** and ***Magma General Insurance Company Limited vs. Nanu Ramalias Chuhru Ram & Ors., (2018) 18 SCC 130***.

6. Learned counsel for respondent No.3-Insurance Company has not disputed that the 'Consortium' has been awarded only to one of the appellants-claimants.

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

8. Keeping in view the facts and circumstances of the present case, this Court is of the considered opinion that adequate compensation has not been awarded towards 'Conventional Heads'. As such, the same is re-worked as under:-

Sr. No.	**Heads**	**Compensation Awarded**
1.	Monthly income	Rs.10,000/-
2.	Annual income	Rs.1,20,000/- (Rs.10,000 X 12)
3.	Future prospects	40% (Rs.1,20,000/- + Rs.48,000/- = Rs.1,68,000/-)
4.	Deductions	1/4 (Rs.1,68,000/- - Rs.42,000/- = Rs.1,26,000/-)
5.	Multiplier	17 (Rs.1,26,000/- X 17 = Rs.21,42,000/-)
6.	Funeral Expenses	Rs.18,000/-
7.	Loss of Estate	Rs.18,000/-
8.	Loss of Consortium (04 dependants)	Rs.48,000/- X 4 = Rs.1,92,000/-
9.	Medical Expenses (Bills/Receipts Ex.P-19 and Ex.P-20)	Rs.63,900/-
	Total	**Rs.24,33,900/-**
	Interest @ 7.5% per annum	

10. 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 No.3-Insurance Company in the Bank Accounts of the appellants-claimants 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 appellants-claimants to respondent No.3-Insurance Company within a period of two weeks from today and needful shall be done by respondent No.3-Insurance Company 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.

11. In view of the above discussion, the present appeal is partly allowed and the Award dated 23.04.2018, passed by the Tribunal, is accordingly modified.

12. Pending miscellaneous applications, if any, stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

18th February 2026
simran

Whether speaking/reasoned	:	*Yes/No*
Whether reportable	:	*Yes/No*