

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

FAO-753-2017

Date of decision : 27.04.2026

KAUSHALYA DEVI AND ORS

....Appellants

Versus

BIKKAR SINGH @ KALA AND ORS

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Mr. Gaurav, Advocate
Mr. Rajbir Singh, Advocate for the appellants.

Mr. Dhiraj Jindal, Advocate for respondent No.2.

Mr. Lalit Garg, Advocate for respondent No.3.

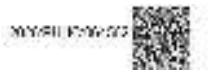
PANKAJ JAIN, J. (ORAL)

Claimants are in appeal seeking enhancement of compensation.

2. Counsel for the appellants has raised two-fold arguments. He submits that the deceased was running a karyana shop and earning Rs.20,000/- per month. In order to prove the same, rent agreement Ex.C7 was placed on record, yet the Tribunal has ignored the same. He further submits that nothing has been paid on account of loss of estate.

3. Having heard counsel for the parties and after carefully perusing the records of the case, this Court finds that the plea raised *vis-a-vis* income of the deceased sans merit and cannot be accepted.

4. In order to prove that the deceased was running a retail business, the least the claimants to produce was GST number or some bills to prove that the deceased was purchasing material from the whole-seller or



to evince that the grocery was being sold to the customers. There is no evidence to prove the same.

5. In view thereof, no fault can be found with the view formulated by the Tribunal in assessing the income of the deceased Tarsem Chand, who died at the age of 65 years, @ Rs.6,000/- per month.

6. Counsel for the appellants is right in contending that nothing has been awarded on account of loss of estate. Accordingly, the award is modified to the extent that the claimants are held entitled for an amount of Rs.15,000/- on account of loss of estate. Rest of the award is maintained.

7. With the aforesaid modification in the impugned award, the appeal is disposed off.

April 27, 2026			
Dpr			(Pankaj Jain)
	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No
			Judge