

2026:PHHC:049664



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

FAO-6010-2018 (O&M)
Date of Decision: March 30, 2026

Chandan Manjhi and another

...Appellants

VERSUS

Jitender Singh and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.R.K.Saini, Advocate
for the appellants.

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

ARCHANA PURI, J.

The appellants-claimant have filed the present appeal to question the adequacy of the compensation awarded by learned Tribunal, on account of death of Chanchla Devi, in a motor vehicular accident, which took place on 03.11.2016.

On appraisal of the evidence brought on record, learned Tribunal had concluded about the accident to have taken place, due to rash and negligent driving of car bearing registration No.HR-31G0470, driven by respondent No.1-Jitender Singh, which resulted into death of Chanchla Devi.

On further appraisal of the evidence, Learned Tribunal had held about date of birth of Chanchla Devi to be 01.01.1993, as per recitals of the



Aadhaar Card, copy whereof is Ex.P7 and thus, concluded about the deceased to be 23 years and 10 months old, at the time of her death. Even though, it was pleaded case of the appellants-claimants that she was working as Thekedar (contractor) of lady labourers at Haryana Bricks Supply Company, Baderi Brick Kiln, Indri and used to earn Rs.12,000/- per month, but however, no evidence, as such, relating to this vocation followed by the deceased, had come forth. Thus, considering Chanchla Devi to be housewife, her earnings were assessed as Rs.5000/- per month, annual whereof is Rs.60,000/-.

Considering the age of the deceased, multiplier of '18' was applied and loss of dependency was worked upon as Rs.10,80,000/-. Besides the aforesaid, even Rs.70,000/- was awarded, on the counts of 'loss of estate, loss of consortium and funeral expenses'. Thus, total compensation was worked upon as Rs.11,50,000/-.

The apportionment of the compensation was made to the extent of 75% and 25% of appellant-claimant No.1 and appellant-claimant No.2, respectively. The liability fastened upon the respondents was held to be 'joint and several'.

Being aggrieved with the extent of compensation, the appellants-claimants have filed the present appeal.

The 'work on' of the compensation, as detailed aforesaid, do call for re-computation, as the value of services rendered by the deceased was taken lower than the prevalent minimum wages.

Time and again, it has been held by the Courts, that to determine the compensation for the services rendered by the homemaker to the house, is a difficult task. There is no data for determination of compensation by



following any strait-jacket formula, but however, taking into consideration, the multifarious services rendered by the housewives for managing the entire family, the value of the services should be assessed and compensation be worked upon.

Also further, it is settled law that on the count of 'future prospects' also, addition ought to be made for the value of service, considering the age of the deceased housewife.

In view of the aforesaid, considering the value of services, in the minimum, the deceased ought to be considered as skilled worker. At the relevant time, the minimum wages of a skilled worker, as per Haryana Government notification were to the Rs.9809/- per month. Taking it to be so, in the fitness of the circumstances, the amount of value of services of deceased Chanchla Devi is taken as Rs.9809/- per month.

Considering age of the deceased, as per *National Insurance Company Limited vs. Pranay Sethi and others, 2017(4) RCR (Civil) 1009*, addition of 40% ought to be made, on the count of 'future prospects'. Considering the number of dependents, as per *Smt.Sarla Verma vs. Delhi Transport Corporation and anr., 2009(3) RCR (Civil) 77*, deduction to the extent of 1/3rd, on the count of 'personal expenses', ought to be made. The suitable multiplier, to be applied is '18' as applied by learned Tribunal.

Besides the aforesaid, addition ought to be made to the compensation, under the conventional heads, as awarded by the Tribunal, on the counts of 'loss of estate', 'funeral expenses' as well as on the count 'loss of consortium', to the extent of Rs.15,000/- + Rs.15,000/- and Rs.80,000/- (Rs.40,000/- to each of the appellant-claimant), respectively, the total whereof comes to be Rs.1,10,000/-.



Considering the same, the compensation payable to appellants-claimants, on account of death of Chanchla Devi is re-computed, as herein given:-

Monthly income	Rs.9809/-
Addition of 40%	Rs.9809+3923=Rs.13,732/-
Deduction of 1/3rd	Rs.13,732-4577=Rs.9155/-, annual whereof is Rs.1,09,860/-
Multiplier of ‘18’	Rs.1,09,860x18=Rs.19,77,480/-
Loss of consortium	Rs.40,000x2=Rs.80,000/-
Loss of estate	Rs.15,000/-
Funeral expenses	Rs.15,000/-
Total	Rs.20,87,480/-

As such, the enhanced compensation, after the deduction of compensation awarded by the Tribunal comes to be **Rs.20,87,480-11,50,000=Rs.9,37,480/-**. On the enhanced amount of the compensation i.e. **Rs.9,37,480/-**, the appellants-claimants, shall be entitled to the interest, at the rate of 6% per annum, from the date of filing of the present appeal, till realization of the enhanced amount of compensation.

Accordingly, the impugned Award dated 04.04.2018 stands modified, to the extent, as indicated aforesaid. The remaining terms of the Award shall remain the same.

In view of the aforesaid observations, the present appeal stands allowed.

March 30, 2026
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No