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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

FAO-6122-2018 (O&M)
Date of Decision : 14.01.2026

PUSHPA RANI .... Appellant

VERSUS

HANS RAJ AND ANR .... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ajay Poonia, Advocate for the appellant.

Mr. Punit Jain, Advocate for respondent No.2.

ALKA SARIN, J. (ORAL)

1. Learned counsel for the parties state that there is no chance of an amicable settlement and that the matter may be decided today itself by this Court on merits.

2. The present appeal has been preferred by the claimant-appellant aggrieved by the quantum of compensation awarded by the Motor Accident Claims Tribunal, Hisar (hereinafter referred to as the 'Tribunal') vide award dated 10.10.2017.

3. Since the factum of the accident is not in dispute, the facts, as recorded in the impugned award passed by the Tribunal, are not being adverted to herein for the sake of brevity.

4. The Tribunal in the present case had awarded the following compensation :

Sr. No.	Heads	Compensation Awarded
1.	Monthly income	₹8,100
2.	Annual income	[₹8,100 x 12] = ₹97,200
3.	Deduction @50%	[₹97,200 - ₹48,600] = ₹48,600
4.	Multiplier of '14'	[₹48,600 x 14] = ₹6,80,400
5.	Funeral and transportation expenses	₹25,000
6.	Loss of love and affection	₹1,00,000
	Total Compensation	**₹8,05,400**
	Interest	**@ 9% per annum**

5. Learned counsel for the claimant-appellant would contend that though the claimant-appellant does not challenge the income as assessed, the deduction as made and the amount awarded towards loss of love and affection by the Tribunal, however, the multiplier of '14' has wrongly been applied by the Tribunal, whereas it ought to have been '18' keeping in view the age of the deceased being 24 years at the time of the accident. It is further the contention of the learned counsel that no addition has been made towards future prospects and that the amount awarded under the conventional heads is on the lower side. In support of his contentions the learned counsel for the claimant-appellant has relied upon the judgments of the Hon'ble Supreme Court in the cases of **Sarla Verma & Ors. vs. Delhi Transport Corporation & Anr. [(2009) 6 SCC 121], National Insurance Company Ltd. vs. Pranay Sethi & Ors. [(2017) 16 SCC 680]**, **Magma General Insurance Company Limited vs. Nanu Ram alias Chuhru Ram & Ors. [(2018) 18 SCC 130]** and **N. Jayasree & Ors. vs. Cholamandalam M.S General Insurance Company Ltd. [2021(4) RCR (Civil) 642]**.

6. *Per contra*, the learned counsel for respondent No.2-Insurance Company has vehemently argued that sufficient amount has already been awarded as compensation in the present case and that there is no scope of any enhancement.

7. Heard.

8. In the present case, since there is no challenge to the income as assessed, the deduction as made and the amount awarded towards loss of love and affection by the Tribunal, the same are maintained. A multiplier of '14' has wrongly been applied by the Tribunal and as such, as per the law laid down by the Hon'ble Supreme Court in the case of **Sarla Verma** (supra), multiplier of '18' would be applicable keeping in view the age of the deceased being 24 years at the time of the accident. Further, no addition has been made towards future prospects. As per the law laid down by the Hon'ble Supreme Court in the case of **Pranay Sethi** (supra), 40% addition is made towards future prospects.

9. Further, the amount awarded under the conventional heads is on the lower side. Hence, as per the law laid down by the Hon'ble Supreme Court in the cases of **Pranay Sethi** (supra), **Magma General Insurance Company Limited** (supra) and **N. Jayasree** (supra), the claimant-appellant would be entitled to ₹18,000 (₹15,000 + 20% increase) towards loss of estate and ₹18,000 (₹15,000 + 20% increase) towards funeral expenses.

10. Accordingly, the reworked compensation to which the claimant-appellant is entitled to is as under :

Sr. No.	Heads	Compensation Awarded
1.	Monthly income	₹8,100
2.	Annual income	[₹8,100 x 12] = ₹97,200
3.	Deduction @50%	[₹97,200 - ₹48,600] = ₹48,600
4.	Future prospects @40%	[₹48,600 + ₹19,440] = ₹68,040
5.	Multiplier of '18'	[₹68,040 x 18] = ₹12,24,720
6.	Funeral expenses	₹18,000
7.	Loss of estate	₹18,000
8.	Loss of love and affection	₹1,00,000
	Total Compensation	**₹13,60,720**

11. The amount in excess of and over and above the amount awarded by the Tribunal shall also attract interest @ 7.5% per annum from the date of filing of the claim petition till the realization of the entire amount.

12. In view of the decision by the Hon'ble Supreme Court in **Parminder Singh vs. Honey Goyal & Ors. [AIR 2025 (SC) 1713]**, after calculation of the enhanced amount, the same be transferred by respondent No.2-Insurance Company in the bank account of the claimant-appellant within a period of six weeks from today. The particulars of the bank account along with the requisite documents in support thereof shall be furnished by the claimant-appellant to respondent No.2-Insurance company within a period of two weeks from today and needful shall be done by respondent No.2-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.

13. In view of the above discussion, the present appeal is allowed

and the award passed by the Tribunal is modified accordingly. Pending applications, if any, also stand disposed off.

14.01.2026 **(ALKA SARIN)**
Aman Jain **JUDGE**

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