



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

FAO-4898-2023 (O&M)
Date of Decision: February 11, 2026

United India Insurance Company Limited

...Appellant

VERSUS

Bhajan Singh and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE ARCHANA PURI

Present: Mr.Gaurav Gupta, Advocates
for the appellants
(through video conferencing).

Ms.Priya Sanghi, Advocate
for respondent No.1
(through video conferencing).

ARCHANA PURI, J.

Along with the main appeal, **CM-2080-CII-2026** has been filed for release of the awarded amount to the claimants, as it is submitted that Amarjit Kaur deceased was erroneously considered to be 35 years old, in the Award by the Tribunal, instead of 55 years, which fact is now under challenge in the main appeal.

Counsel for the applicant-respondent No.1 has submitted that the insurance company has challenged the age of deceased Amarjit Kaur, so taken by the Tribunal and does not dispute about the extent of earnings of the deceased as Rs.9200/- per month and therefore, on this account only, the re-computation of the compensation should be done.

The photocopy of record of the Tribunal has already been



received.

Now, arguments on the main appeal heard.

Suffice to consider that the accident had taken place on 25.07.2021. Deceased Amarjit Kaur was asserted in the claim petition to be 55 years old. Though, in the post-mortem report, the age of the deceased, as such, has been mentioned as 35 years, but however, the same is erroneously mentioned. In this regard, suffice to consider the testimony of Bhajan Singh, husband of the deceased, who stepped into witness box as CW-1. While facing cross-examination, he has stated that the date of birth of his wife Amarjit Kaur was 01.01.1966 and stated that she was 56 years old, at the time of accident, but however, calculating the age, it was 55 years 5 months and 24 days.

As such, for the purposes of the calculation of the compensation, the age of deceased Amarjit Kaur is taken as 55 years. Taking it to be so, the compensation worked upon by the Tribunal, calls for re-computation.

Perusal of the impugned Award reveals that calculation was made by learned Tribunal, as stated in paragraph No.17, under the various heads, considering the age of the deceased to be 35 years, which is reproduced in tabular form, as herein given:-

Sr. No.	Heads of claim	Tribunal Amount
1.	Annual income	Rs.1,10,400/-
2.	Annual income after 50% deduction	Rs.55,200/-
3.	Addition of future prospects @ 40% of amount of Rs.55,200/-	Rs.22,080/-
4.	Total income of deceased – (Rs.55,200/-+Rs.22,080/-)	Rs.77,280/-
5.	Multiplier	16
6.	Amount of compensation	Rs.12,36,480/-



However, considering the age of the deceased to be 55 years old, as now worked upon, the compensation, ought to be re-computed. The extent of earnings of deceased is appropriately considered as Rs.9200/- per month, which fact is also not disputed by counsel for the appellant-insurance company. The deduction, on the count of ‘personal expenses’ to the extent of 50% ought to be made. Keeping in view the age, addition of 10% ought to be made, on the count of ‘future prospects’ and the appropriate multiplier to be applied is ‘11’.

Besides the aforesaid, under the conventional heads, the appellant-claimant is entitled to ‘loss of consortium’. The amount payable under the same, at present, in consonance with *National Insurance Company Limited vs. Pranay Sethi and others, 2017(4) RCR (Civil) 1009*, is Rs.48,400/-. On the similar parameters, under the heads of ‘funeral expenses’ and ‘loss of estate’, the amount payable is Rs.18,150/- on each count.

Considering the same, the compensation payable to appellant-claimant, on account of death of Amarjit Kaur is re-computed, as herein given:-

Income	Rs.9200/- per month
Deduction of 1/2	Rs.9200-4600=Rs.4600/-
Addition of 10%	Rs.4600+460=Rs.5060/- per month annual whereof is Rs.60,720/-
Multiplier of ‘11’	Rs.60,720x11=Rs.6,67,920/-
Loss of consortium	Rs.48,400/-
Loss of estate	Rs.18,150/-
Funeral expenses	Rs.18,150/-
Total	Rs.7,52,620/-

As such, the amount so awarded by learned Tribunal stands reduced from Rs.12,36,480/- to Rs.7,52,620/-. The impugned Award dated



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24.01.2023 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.

The pending civil misc. applications, if any, shall stand disposed of.

February 11, 2026
Vgulati

(ARCHANA PURI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No