



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

**FAO-7340 -2018
Decided on : 19.03.2026**

Smt. Seada & ors.

....Appellants

Versus

Jurnal & ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present :- Mr. Devika Kamboj, Advocate
for Mr. Kunal Phogat, Advocate
for the appellants.

Mr. Ravinder Arora, Advocate with
Mr. Vipul Sharma, Advocate
for respondent No.3.

PANKAJ JAIN, J. (ORAL)

1 The claimants are in appeal seeking enhancement of compensation awarded in a claim petition filed under Section 166 of the Motor Vehicles Act, 1988 (for short, 'the 1988 Act') on account of death of Asif, who died in a motor vehicular accident dated 29.10.2017 at the age of 26 years.

2 Mr. Ravinder Arora, Advocate with Mr. Vipul Sharma, Advocate, puts in appearance on behalf of respondent No.3 and has filed vakalatnama in Court today. The same is taken on record.

3 Asif lost his life at the age of 26 years. Though the claimants pleaded that the deceased-Asif was engaged in transportation of goods



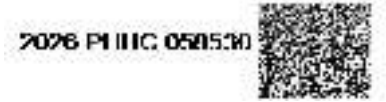
through his own vehicle, i.e. Mahindra Pick-up and used to earn Rs.50,000/- per month. However, there is no evidence to corroborate the same. The claimants have not even been able to place on record registration certificate of the vehicle claimed to be owned by deceased-Asif. Even the registered number of the vehicle has not been disclosed. In these circumstances, Tribunal relied upon monthly wages notified by the State of Haryana under The Minimum Wages Act, 1948.

4 Counsel for the appellants submits that instead of Rs.8,388/- as notified by the State, the Tribunal erred in taking the income of the deceased as Rs.8,222.44.

5 Counsel for respondent No.3 is not in a position to dispute the same. Accordingly, the income of the deceased is taken as Rs.8,388/-, which is rounded off to Rs.8,500/- per month. Multiplier of 17 has been aptly applied. 40% future prospects have been rightly granted. Keeping in view that there were five dependents, 1/4th deduction needs to be applied. Asif died at the age of 26, multiplier of 17 has been aptly applied by the Tribunal. The Tribunal also erred in denying loss of consortium to other claimants apart from widow Seada.

6 All the claimants, except Sagir, the father of the deceased Asif, are awarded Rs. 40,000/- each on account of loss of consortium.

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



8 Needless to say, the appellants shall be entitled to interest @7% per annum on the enhanced amount from date of filing of the claim petition till the date of actual realization.

19.03.2026
Pooja Sharma-I

(PANKAJ JAIN)
JUDGE

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