

FAO-6801-2023

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2026:PHHC:020790



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

FAO-6801-2023

Date of decision : 11.02.2026

Jasmel Singh and another

... Appellants

Versus

Shinderpal Sharma and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.C.L. Verma, Advocate
for the appellants.

Mr.Punit Jain, Advocate
for respondent no.3.

VIKAS BAHL, J.(ORAL)

1. The husband and son of the deceased Baljinder Kaur, who had died in a motor vehicular accident which took place on 26.08.2020, have filed the present appeal for enhancement.
2. The Motor Accident Claims Tribunal, vide order dated 30.01.2023 had awarded an amount of Rs.7,03,600/- as compensation along with interest.
3. The only issue which arises in the present appeal is with respect to the fact, as to whether the present appellants are entitled to any enhanced compensation or not. The other aspects are not disputed before this Court.



4. Learned counsel for the appellants has submitted that the Tribunal had taken the income of the deceased as Rs.8000/- per month. It is submitted that as per the notification issued at the relevant time with respect to wages payable to a skilled labourer and as per settled law, since the deceased was a housewife, she was required to be paid at least at the rate payable to a skilled labourer which would be Rs.10855.71 per month. It is submitted that on account of loss of consortium, only an amount of Rs.40,000/- has been awarded whereas the appellants are entitled to an amount of Rs.96,000/- (Rs.48,000/- x 2) on the said account. It is submitted that thus, the appellants are entitled to additional compensation of Rs.2,82,417/- along with interest at the rate of 9% per annum.

5. Learned counsel for respondent no.3, on the other hand, has submitted that the rate of interest which the present appellants have sought for the enhanced compensation is highly excessive and the highest rate of interest which can be granted to the present appellants for the enhanced compensation is 6% per annum.

6. Learned counsel for the appellants, after taking into consideration the objection raised by the learned counsel for respondent no.3, has prayed that the present appellants be granted interest at the rate of 7.5% per annum and has submitted a chart which is reproduced hereinbelow:-

Sr.	Heads	Compensation awarded
1.	Monthly Income as per notification skilled worker	Rs.10858.71
2.	Annual Income	Rs.1,30,304.52



3.	Deduction towards personal expenditure 1/3 rd	Rs.1,30,304/- x 1/3 rd =43434
4.	Compensations which needs to be paid per annum after such deduction	Rs.130,304.52-43434= 86,870.52
5.	Compensation after Multiplier of 9 is applied	86,870.52 x 9 = Rs.7,81,834.68
6	10% to be added as future prospects	Rs.7,81,834.68+ 78,183 =Rs.8,60,017.68
7.	Loss of consortium two claimants Rs.48,000/- each	Rs.96,000/-
8.	Funeral Expenses	Rs.15000/-
9.	Loss of estate	Rs.15000/-
10.	Total	Rs.9,86,017.68

Already compensation awarded and paid Rs.7,03,600/- enhanced amount comes to Rs.2,82,417/- with interest @ 7.5% from the date of filing the petition till its realizations.

Chandigarh

Dated : 11.02.2016

(C.L. VERMA)
ADVOCATE
COUNSEL FOR THE APPELLANT”

7. In support of his arguments, learned counsel for the appellants has relied upon the law laid down by the Hon’ble Supreme Court in cases titled as **Sarla Verma (Smt.) and others Vs. Delhi Transport Corporation and another** reported as **(2009) 6 SCC 121**, **National Insurance Company Limited Vs. Pranay Sethi and others** reported as **(2017) 16 SCC 680**, and **Magma General Insurance Company Limited Vs. Nanu Ram alias Chuhru Ram and others** reported as **(2018) 18 SCC 130**.

8. This Court has heard learned counsel for the appellants as well as learned counsel for respondent no.3 and has perused the paper book and has also considered the said chart and the same has been found to be in accordance with law.



9. The appellants are entitled to the amount which has been mentioned in the chart as per settled law. The deceased was a housewife and as per settled law, she should at least be granted the amount which at the relevant time was payable to a skilled labourer i.e., Rs.10858.71/- per month, which has not been disputed. Since there were two claimants, thus, on account of loss of consortium, they are entitled to an amount of Rs.96,000/- (Rs.48,000/- x 2) whereas, the Tribunal had granted only Rs.40,000/- on the said count. With respect to the rate of interest, this Court is consistently awarding the rate of interest at the rate of 7.5% per annum, which rate of interest is also reasonable in the present case. Thus, the appellants are entitled to additional amount of compensation of Rs.2,82,417/- with interest at the rate of 7.5% per annum.

10. Keeping in view the abovesaid facts and circumstances, the present appeal is partly allowed and award dated 30.01.2023 is modified and respondent no.3 is directed to pay an additional amount of compensation to the tune of Rs.2,82,417/- to the appellants along with interest at the rate of 7.5% per annum from the date of filing of the claim petition till its realisation within a period of six weeks from today.

(VIKAS BAHL)
JUDGE

February 11, 2026.
Davinder Kumar

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