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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\# **CNR No. DLHC010943592014**

\+ MAC.APP. 541/2014

RAM CHANDER & ANR .....Appellants

Through: Mr. Kamaldeep, Adv.

versus

TATA AIG GENERAL INSURANCE CO. LTD & ANR

.....Respondents

Through: Mr. Rudra Kahlon & Ms. Vandana Kahlon, Advs. for R-1/TATA AIG

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

O R D E R

% 07.10.2026

1. This appeal has been filed seeking enhancement of compensation awarded by Motor Accident Claims Tribunal, South-East, Saket Courts, New Delhi ['***Tribunal/MACT***'], *vide* award dated 01st February 2014, arising out of a Detailed Accident Report ['***DAR***'] filed under Section 158(6) of Motor Vehicles Act, 1988, by *P.S. Ambedkar Nagar*, whereby compensation of *Rs.9,73,626/-* along with interest at the rate of 9% per annum, was awarded ['***impugned award***'].

2. The impugned award was passed in relation to an accident which occurred on 04th October 2012, when deceased was riding a *scooty* and was hit by car bearing registration no. *DL 7C J 9285* ['***offending vehicle***'], which was driven by respondent no.2/driver-cum-owner and was insured with respondent no.1/Insurance Company.

3. *Mr. Kamaldeep*, counsel for claimants, seeks enhancement on the

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following grounds, which are dealt with as under:

i) ***Firstly***, a multiplier of '14' was adopted by the MACT, on the basis of age of mother of the deceased, who was *42-years-old* at the time of the accident. Therefore, multiplier of '*14'* was adopted by the MACT. This aspect has now been well settled by the Supreme Court, through decisions in ***Sarla Verma v. DTC***, (2009) 6 SCC 121, and ***National Insurance Co. Ltd. v. Pranay Sethi***, (2017) 16 SCC 680, wherein the Court has held that multiplier ought to be adopted on the basis of age of the deceased, as on the date of the accident. Accordingly, since the deceased in the present case, had been *17-years-old* at time of the accident, a multiplier of '***18***' shall be adopted.

ii) ***Secondly***, notional income of deceased was determined basis minimum wages of an *unskilled worker*, at *Rs.7,251/-* per month, on the ground that there was no documentary proof to establish that the deceased was earning *Rs.10,500/-* per month, as a cleaner with *Raju Bhatia*/**PW4.** *Mr. Kamaldeep*, counsel for claimants, has pointed out that, as far as minors are concerned, the Court has already taken a view that minimum wages of a *skilled worker* should be applied in such cases. The said view has indeed been taken by this Court in ***Vineet Singh v. Oriental Insurance Co Ltd.,*** 2026 SCC OnLine Del 2225. Accordingly, considering that the deceased had been *17-years-old* at the time of the accident and had also been working, as also the opinion of the Court, *loss of dependency* shall be calculated by adopting the minimum wages of a *skilled worker* at *Rs.8,814/-*, along with future prospects of 40%.

iii) ***Thirdly***, the awarded compensation shall be aligned with the principles enunciated by the Supreme Court in ***Pranay Sethi*** (*supra*). Accordingly, compensation towards *funeral expenses* shall be reduced

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from *Rs.25,000/-* to *Rs.15,000/-*; *loss of estate* shall be enhanced to *Rs.15,000/-*. *Loss of consortium* shall be awarded at *Rs. 80,000/-* [*Rs. 40,000 x 2*], considering that there are two dependents. *Loss of love and affection* shall stand deleted and absorbed in loss of consortium in terms of the decision of the Supreme Court in ***United India Insurance Co. Ltd. v. Satinder Kaur*** (2021) 11 SCC 780.

4. The revised compensation shall accordingly be calculated as under:

S. NO.	HEADS	AWARDED BY THE TRIBUNAL	AWARDED BY THIS COURT
1.	Monthly Income of deceased (A)	Rs. 7,251/-	Rs. 8,814/-
2.	Add Future Prospects (B)	Rs. 10,876.5/- [50%]	Rs. 13,221/-
3.	Less Personal expenses of the deceased (C) @ 50%	Rs. 5,438.25/-	Rs. 6,610.5/-
4.	Monthly loss of dependency [B-C = D]	Rs. 5,438.25/-	Rs. 6,610.5/-
5.	Annual loss of dependency (Dx12)	Rs. 65,259/-	Rs. 79,326/-
6.	Multiplier (E)	14	18
7.	Loss of dependency [F] [DX12XE]	Rs. 9,13,626/-	Rs. 14,27,868/-
8.	Compensation for loss of consortium (G)	NIL	Rs. 80,000/-
9.	Compensation for loss of love and affection (H)	Rs. 25,000/-	NIL
10.	Compensation for loss of estate (I)	Rs. 10,000/-	Rs. 15,000/-
11.	Compensation towards funeral expenses (J)	Rs. 25,000/-	Rs. 15,000/-
12.	Total compensation (F + G + H+I + J= K)	Rs. 9,73,626/-	Rs. 15,37,868/-
13.	Interest	9%	9%

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14.	**Enhanced compensation**	**Rs. 5,64,242/-**

Directions

5. For aforesaid reasons, compensation has been enhanced by ***Rs. 5,64,242/-*** ['***enhanced amount***'].

6. Enhanced amount, along with interest at the rate of *9%* per annum, from the date of filing the petition shall be deposited before the MACT within a period of *six weeks*.

7. *Mr. Kamaldeep*, counsel for claimants, submits that father of the deceased is disabled and would be able to manage the compensation amount. On this basis, he, pleads that the enhanced amount be released as a lump sum.

8. Accordingly, in view of *Mr. Kamaldeep's* submission, the enhanced amount, along with accrued interest thereon, shall be released in favour of the claimants, as a lump sum, within *2 weeks* of the aforesaid deposit being made.

9. Further, the originally awarded amount, along with accrued interest thereon, if not released, shall also be released in favour of the claimants, as a lump sum considering that the accident occurred way back in 2012.

10. The appeal is accordingly disposed of in above terms.

11. Pending applications, if any, are disposed of.

12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 7, 2026/sm/ya

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