



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

FAO-2960-2021

Date of Decision: 14.10.2025

RAMANDEEP

....Appellant

Versus

NAIB SINGH AND ORS

...Respondent

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Mr. Vishwajeet, Advocate
for the appellant.

Mr. Imran Ahmed, Advocate
for respondent No.3.

Parmod Goyal, J. (Oral)

Present appeal has been preferred by injured/claimant who is dissatisfied with the award of compensation of Rs.46,26,472/- on account injuries and permanent disability to the extent of 100% in the accident dated 11.08.2018, vide impugned award dated 16.01.2020, passed by learned Motor Accident Claims Tribunal, Kurukshetra (hereinafter referred to as 'Tribunal').

2. Claimant was awarded the following compensation :-

1.	Annual income prior to the accident (Rs.15,183 x 12)	Rs.1,82,196/-
2.	Loss of future earnings per annum (100% of the prior annual income) (100 x 1.82,196 divided by 100)	Rs.1,82,196/-
3.	Multiplier applicable with reference to age	16
4.	Loss of future earnings on account of permanent disability (Rs.1,82,196 x 16)	Rs.29,15,136/-

The total compensation is assessed as under:

Medicines and Medical treatment	Rs.16,21,646/-
Loss of earnings during the period of treatment	Rs.21,690/-



Loss of future earnings on account of permanent disability	Rs.29,15,136/-
Attendant charges @ Rs.2,000/- p.m. from the date of institution of petition i.e. 17.11.2018 till 17.01.2020 (for 14 months) Rs.2,000 x 14	Rs.28,000/-
Pain and suffering loss of Amenities of life	Rs.20,000/-
Conveyance and Special Diet (Rs.10,000 + 10,000)	Rs.20,000/-
Total	Rs.46,26,472/-

3. Learned counsel for petitioner has fairly accepted compensation awarded under the heads medicines and medical treatment, conveyance and special diet, attendant charges though he claimed that he be granted attendant charges throughout his life as he has suffered 100% disability. Learned counsel for insurance company has pointed out that petitioner has already been granted attendant charges to the extent of Rs.2,000/- per month for whole of his life on furnishing life certificate. In Para No.32 of the award, learned Tribunal has already directed insurance company to deposit Rs.2,000/- per month in the account of claimant on production of life certificate to the insurance company. Therefore, I do not intend to interfere with compensation under the above noted heads.

4. As far as loss of earning capacity is concerned, learned Tribunal has rightly taken minimum wages payable to a skilled worker i.e. Rs.10,845/- as income of deceased and has awarded 40% towards future prospects and has found deceased to be 100% functionally disabled in view of 100% permanent disability and by keeping the age of deceased who was 31 years, 10 months, 11 days and at the time of accident multiplier of 16 was rightly applied. In view of the correct application of formula to find out loss of earning capacity, no further enhancement is justified. However, I find that amount of Rs.20,000/- towards pain and sufferings and loss of amenities of



life to be inadequate, keeping in view the fact that petitioner had suffered 100% disability and was confined to bed and has since died during the pendency of the present appeal, accordingly, compensation of Rs.20,000/- is enhanced to Rs.1,00,000/- towards pain and sufferings, loss of amenities of life, life expectancy etc. Accordingly, petitioner is entitled to enhanced compensation of Rs.80,000/- over and above the amount already awarded. The claimant shall also be entitled to interest @7.5% per annum on the enhanced amount from the date of filing till realization.

5. Appeal is accordingly disposed of in above terms. Pending Misc. application(s), if any, shall also stand disposed off.

14.10.2025
chiranjeev

(PARMOD GOYAL)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No