



Sr. No.	Heads	Compensation Awarded
1.	Monthly income	Rs.6,000/-
2.	Future prospects @ 50%	[Rs.6,000 + 3,000] = Rs.9,000/-
3.	Deduction 50%	[Rs.9,000 – Rs.4,500] = Rs.4,500/-
4.	Annual income	[Rs.4,500 X 12] = Rs.54,000/-
5.	Multiplier of '18'	[Rs.54,000 x 18] = Rs.9,72,000/-
6.	Loss of dependency	Rs.9,72,000/-
7.	Funeral charges, conveyance expenses and loss of estate	Rs.25,000/-
8.	Loss of love and affection	Rs.50,000/-
	Total Compensation	Rs.10,47,000/-
	Interest @ 9% per annum	

5. Learned counsel for the claimant-appellants contends that the Tribunal has wrongly assessed the income of the deceased. The salary certificate of the deceased, produced by Ishwar Singh, PW-3, was wrongly discarded, and the income of the deceased was wrongly determined by treating him as an 'unskilled casual worker'. It is further contended that the requisite compensation towards 'loss of Estate' and 'loss of Consortium (filial)' was not awarded by the Tribunal. Reliance has been placed on *National Insurance Company Ltd. vs. Pranay Sethi & Ors., (2017) 16 SCC 680*, *Magma General Insurance Company Limited vs. Nanu Ram alias Chuhru Ram & Ors., (2018) 18 SCC 130* and *N. Jayasree & Ors. vs. Cholamandalam M.S General Insurance Company Ltd., 2021(4) RCR (Civil) 642*.

6. On the other hand, learned counsel appearing on behalf of respondent No.3-Insurance Company submitted that the Tribunal has wrongly awarded future prospects @ 50% instead of 40%. However, this fact has been admitted that the Insurance Company did not



challenge the Award either by filing cross-objections or by filing an appeal.

7. I have considered the aforesaid submissions and perused the paper-book.

8. The claimants have alleged that the deceased was serving at Malik Petrol Pump, Jind and was drawing a sum of Rs.25,000/- as monthly salary along with Rs.9,000/- as overtime. He was also having agricultural income to the tune of Rs.8,000/- per month and income from dairy farming to the extent of Rs.10,000/- per month. To prove the salary of the deceased, claimants have examined Ishwar Singh, PW-3, who has proved a letter dated 04.01.2014 (Ex.P-2) regarding issuance of a salary certificate of deceased-Rohtash. As per the said certificate, deceased was being paid a sum of Rs.9,000/- per month as salary. The Tribunal has wrongly discarded the said certificate merely on the ground that income tax returns have not been produced by the owner of the petrol-pump in support of the said certificate.

8.1 It is well settled that proceedings before the Tribunal are summary in nature and the statement given by a witness on oath proving the salary certificate can be safely relied upon to determine the income of the deceased. As such, the income of the deceased should have been considered as Rs.9,000/- per month, instead of Rs.6,000/- per month as treated by the Tribunal. However, no interference is called for in the observations by the Tribunal that there is no evidence to prove the alleged agricultural income as well as income from dairy farming, as no plausible evidence has come on record in this regard.



8.2 The Tribunal has determined the age of the deceased as 25 years and there is no challenge to the said findings.

8.3 As such, considering the age of the deceased, i.e. 25 years as determined by the Tribunal and that the deceased was not doing any permanent job, the future prospects awarded by the Tribunal at the rate of 50% are on higher side, as such, future prospects are determined as 40%.

9. Accordingly, the reworked compensation is as under:-

Sr. No.	Heads	Compensation Awarded
1.	Monthly income	Rs.9,000/-
2.	Future prospects @ 40%	[Rs.9,000 + 3,600] = Rs.12,600/-
3.	Deduction 50%	[Rs.12,600 – Rs.6,300] = Rs.6,300/-
4.	Annual income	[Rs.6,300 X 12] = Rs.75,600/-
5.	Multiplier of '18'	[Rs.75,600 x 18] = Rs.13,60,800/-
6.	Loss of dependency	Rs.13,60,800/-
7.	Funeral charges	Rs.15,000/-
8.	Loss of estate	Rs.15,000/-
9.	Loss of consortium (filial)	Rs.40,000/-
	Total Compensation	Rs.14,30,800/-
	Interest @ 7.5% per Annum on the enhanced amount	

10. The amount in excess of the amount awarded by the Tribunal shall attract interest @ 7.5% per annum from the date of filing of the claim petition till the realization of the entire amount.

11. In view of the decision by the Hon'ble Supreme Court in *Parminder Singh vs. Honey Goyal & Ors., 2025 INSC 361*, after calculation of the enhanced amount, the same shall be transferred by respondent No.3-Insurance Company in the Bank Accounts of the claimant-appellants within a period of 06 weeks from today. The particulars of the bank account(s) along with the requisite documents in support thereof shall be furnished by the claimant-appellants to



respondent No.3-Insurance company within a period of two weeks from today and needful shall be done by respondent No.3-Insurance Company after verification thereof within a period of four weeks thereafter along with up-to-date interest. The compliance shall be reported by the Bank to the Tribunal concerned.

12. In view of the above discussion, the present appeal is partly allowed and the award passed by the Tribunal is modified accordingly.

13. Pending application(s), if any, shall also stand disposed of.

13th October 2025

Sapna Goyal/atulsethi

[HARPREET KAUR JEEWAN]

JUDGE

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No