



276

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

**FAO-5119-2017 (O&M)**

**Date of Decision : 05.08.2025**

Putna ... Appellant(s)

Versus

Hardeep Singh & Ors ... Respondent(s)

**CORAM : HON'BLE MRS. JUSTICE ALKA SARIN**

Present : Mr. Gurbinder Sidhu, Advocate for  
Ms. Garima Sharma, Advocate for the appellant.

Mr. Vinod Chaudhri, Advocate for respondent No.3.

**ALKA SARIN, J. (Oral)**

**CM-15819-CII-2017**

1. For the reasons mentioned therein, the application seeking condonation of delay of 202 days in filing the appeal is allowed and the delay of 202 days in filing the appeal is condoned.

**FAO-5119-2017**

2. The present appeal has been preferred by the claimant-appellant aggrieved by the quantum of compensation awarded by the Motor Accident Claims Tribunal, Ambala (hereinafter referred to as 'Tribunal') vide the impugned award dated 27.07.2016 in a motor vehicle accident which occurred on 18.06.2015.

3. Since the factum of the accident is not in dispute, the facts are not being adverted to for the sake of brevity.

4. The Tribunal in the present case had awarded the following compensation :

Sr. No.	Heads	Compensation Awarded
1	Monthly income	₹7,000/-
2	Annual income	[₹7,000 x 12] = ₹84,000/-
3	Deduction ½	[₹84,000 – 42,000] = ₹42,000/-
4	Multiplier of '9'	[₹42,000 x 9] = ₹3,78,000/-
5	Funeral expenses	₹10,000/-
6	Love and affection	₹20,000/-
<b>7</b>	<b>Total Compensation</b>	<b>₹4,08,000/-</b>
	<b>Interest</b>	<b>7.5% per annum</b>

5. Learned counsel for the claimant-appellant would contend that he does not challenge the income of the deceased, deduction as well as multiplier as applied by the Tribunal, however, he states that no addition has been made towards future prospects which ought to have been 10% inasmuch as the deceased was 59 years of age. It is further the contention of the learned counsel that the amounts awarded under the conventional heads and under the head 'loss of consortium' are not as per the law laid down by the Hon'ble Supreme Court. In support of his contentions, he has relied upon the judgments of the Hon'ble Supreme Court in the cases of **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. *Per contra*, the learned counsel for respondent No.3-Insurance Company has vehemently argued that sufficient amount has already been awarded as compensation in the present case and that there is no scope of any enhancement.

7. I have heard the learned counsel for the parties.
8. In the present case, no appeal has been filed by the Insurance Company. Since there is no challenge laid by the learned counsel for the claimant-appellant to the income of the deceased, deduction as well as multiplier as assessed by the Tribunal, the same are accordingly maintained. The Tribunal has not made any addition towards future prospects. The deceased was admittedly 59 years of age, hence, as per the law laid down by the Hon'ble Supreme Court in the case of **Pranay Sethi** (supra), 10% addition is made towards future prospects. Further, the amounts awarded under the conventional heads and under the head 'loss of consortium' are not as per the law laid down by the Hon'ble Supreme Court in the cases of **Pranay Sethi** (supra), **Magma General Insurance Company Limited** (supra) and **N. Jayasree** (supra) and hence, the claimant-appellant would be entitled to ₹18,000/- (₹15,000+20% increase) towards loss of estate and ₹18,000/- (₹15,000+20% increase) towards funeral expenses and the claimant-appellant would also be entitled to ₹48,000/- (₹40,000+20% increase) towards loss of consortium. Accordingly, the reworked compensation is as under :

Sr. No.	Heads	Compensation Awarded
1	Monthly Income	₹7,000/-
2	Annual Income	₹84,000/- [₹7,000 x 12]
3	Deduction 50%	₹42,000/- [₹84,000 – 42,000]
4	Future Prospects - 10%	₹46,200/- [₹42,000 + 4,200]
5	Multiplier - 9	₹4,15,800/- [₹46200 x 9]
6	Loss of estate	₹18,000/-
7	Funeral expenses	₹18,000/-
8	Loss of consortium (i) Spousal's	₹48,000/-
	<b>Total Compensation</b>	<b>₹4,99,800/-</b>

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

10. In view of the decision by the Hon'ble Supreme Court in **Parminder Singh vs. Honey Goyal & Ors. [AIR 2025 SC 1713]**, after calculation of the enhanced amount, the same be transferred by the Insurance Company in the bank account(s) of the claimant within six weeks from today. The particulars of the bank account(s) alongwith the requisite documents in support thereof shall be furnished by the claimant to the Insurance Company within a period of two weeks from the date of this order and needful shall be done by the Insurance Company after verification thereof within four weeks thereafter alongwith up-to-date interest. The compliance shall be reported by the Bank to the Tribunal concerned.

11. In view of the above discussion, the present appeal is allowed and the award passed by the Tribunal stands modified accordingly. Pending applications, if any, also stand disposed off.

05.08.2025  
Yogesh Sharma

**( ALKA SARIN )**  
**JUDGE**

NOTE: Whether speaking/non-speaking: Speaking  
Whether reportable: YES/NO