



FAO-5734-2010 (O&M)
and other connected cases

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

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FAO-5734-2010 (O&M)
Date of decision :23.09.2025

PRTC

... APPELLANT

VERSUS

MANPREET KAUR & ORS.

...RESPONDENTS

FAO-5735-2010 (O&M)

PRTC

... APPELLANT

VERSUS

KRISHNA DEVI & ORS.

...RESPONDENTS

FAO-5736-2010 (O&M)

PRTC

... APPELLANT

VERSUS

LAXMI DEVI & ORS.

...RESPONDENTS

FAO-5737-2010 (O&M)

PRTC

... APPELLANT

VERSUS

VEENA & ORS.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE PARMOD GOYAL

Present: Ms. Deepika Bagri, Advocate and
Mr. Anupam Singla, Advocate
for the appellant(s).

Mr. J.S. Thind, Advocate
for the respondent.



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PARMOD GOYAL, J.

1. The Motor Accident Claims Tribunal, Sirsa (hereinafter referred to as "the Tribunal"), vide impugned award dated 21.04.2009, allowed four claim petitions titled as titled as Manpreet Kaur and others Vs. Ranjeet and others, Laxmi Devi Vs. Ranjeet and others, Veena and others Vs. Ranjeet and others and Krishna Devi and another Vs. Ranjeet and others awarding compensation of Rs.4,28,000/-, Rs. 4,42,000/-, 4,28,000/- and 4,42,000/- along with interest @ 9% per annum from the date of filing of the claim petition till realization. Owner of offending vehicle is aggrieved by award of compensation & has filed present four appeals.

2. The claimants-respondents, in all four claim petitions, asserted that on 04.10.2006, Gurcharan Singh, Rakesh Kumar, Ram Mittal, Rajeev Kumar, and Anil Kumar were traveling to attend a marriage ceremony in Car No. 24-C/7041, which was being driven by the deceased Gurcharan Singh. It was alleged that the accident occurred due to the rash and negligent driving of Bus bearing registration No. PB-11-H-0762, owned by Pepsu Road Transport Corporation and being driven by Respondent No. 1 at the relevant time. As a result of the accident, all the occupants of the car, except Anil Kumar, died on the spot. Darshan Singh, Sandeep Kumar, Dharam Pal, and Subhash, who were following the car of the deceased and had witnessed the accident, immediately rushed to the scene and shifted the injured to the hospital.

3. All the claimants-respondents had preferred their respective claims by filing petitions under Section 163-A of the Motor Vehicles Act, 1988. Laxmi



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Devi (mother of deceased Sandeep Kumar), Krishna & Subhash Chander Singh (parents of deceased Ram Mittal), Veena and others (legal representatives of deceased Rakesh Kumar), and Manpreet Kaur and others (legal representatives of deceased Gurcharan Singh) sought compensation from the driver and owner of Bus bearing registration No. PB-11-H/0762.

4. The learned Tribunal, while adjudicating the matter, decided issue No. 1 in favour of the claimants-respondents, holding that the deceased persons had lost their lives due to the accident caused by the involvement of the Bus No. PB-11-H/0762.

5. The claimants-appellants, namely Laxmi Devi, Subhash Chander Singh, Veena, and Manpreet Kaur, duly appeared before the Tribunal as PW-1 to PW-4, respectively. In their testimonies, all of them consistently deposed that the deceased were earning a sum of ₹3,000/- per month each.

6. The respondents did not lead any rebuttal evidence to challenge the stated income, nor did they bring any material on record to prove that the deceased were earning either more or less than ₹3,000/- per month.

7. After deducting 1/3rd of the income towards personal and living expenses, the Tribunal assessed the monthly loss of dependency at ₹2,000/- per deceased.

8. Accordingly, the Tribunal applied the appropriate multipliers based on the age of each deceased as under:

- (i) For Rakesh Kumar (aged 30 years), a multiplier of 17 was applied;
- (ii) For Ram Mittal (aged 23 years), a multiplier of 18 was applied;
- (iii) For Gurcharan Singh (aged 30 years), a multiplier of 17 was applied; and



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(iv) For Sandeep Kumar (aged 18 years), a multiplier of 18 was applied.

9. The claimants were also awarded ₹5,000/- towards funeral expenses in each of the claim petitions. Additionally, a sum of ₹5,000/- was awarded towards loss of estate in each case.

10. The present appeals have been preferred by the owner of the vehicle involved in causing the accident, who contended that the amount of compensation awarded by the learned Tribunal was excessive. It was argued that the income of the deceased ought to have been assessed at ₹15,000/- per annum, as there was no concrete evidence to establish a higher income.

11. However, the Tribunal rightly held that since the petitioners had pleaded the monthly income as ₹3,000/- which is supported by oral assertions of witnesses, and is not more than the prevailing minimum wages, the same cannot be termed excessive. There was no justification to accept ₹15,000/- per annum as the income of the deceased, especially in the absence of any evidence led by appellant.

12. The deceased were not non-earning members; in fact, all of them were independent adults, two of whom were married and had children. Being able-bodied individuals with family responsibilities, it cannot be presumed that they were unemployed or not engaged in any gainful activity.

13. Therefore, no fault can be found with the approach adopted by the learned Tribunal in assessing the income and granting compensation to the claimants.

14. Accordingly, all four appeals stand dismissed.

15. Pending miscellaneous application(s), if any, shall also stand



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disposed of.

23.09.2025

manoj

(PARMOD GOYAL)
JUDGE

Whether speaking/reasoned

Yes

Whether reportable

Yes/No