



FAO-4011-2025 (O&M)

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

**FAO-4011-2025 (O&M)
Date of decision : 30.07.2025**

National Insurance Company Ltd. ...Appellant

Versus

Shama and others ...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Paul S. Saini, Advocate,
for the appellant-Insurance Company.

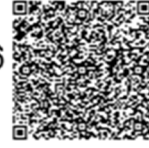
Mr. Sandeep Kotla, Advocate,
for respondent Nos.1 to 4-claimants.

HARPREET KAUR JEEWAN, J. (Oral)

1. The Insurance Company has challenged the award passed by the Motor Accident Claims Tribunal, Hisar, dated 21.02.2025, regarding the accident which took place on 26.01.2022, *inter se* a car bearing No.HR-26AR/9001 and a truck bearing No.HR-39B/7609.

2. The Tribunal has held that the accident took place due to the rash and negligent driving by the truck driver and awarded compensation to the tune of Rs.72,59,200/- in favour of the respondent-claimants on the basis of the following calculations:-

Occupation:	Labourer/ daily wages	
Sr. No.	Heads	Calculation (In Rs.)
(i)	Income	52,068/- per month
(ii)	1/4 th of the (i) deducted as personal expenses of the deceased	52,068 – 13,017 = 39,051/- per month.



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(iii)	Compensation after multiplier of '15' is applied	39,051 x 12 x 15 = Rs.70,29,180/-
(iv)	Loss of Estate	15,000/-
(v)	Loss of consortium to petitioners No.1 to 5	2,00,000/- (Rs.40,000/- to each of the petitioner).
(vi)	Funeral expenses	Rs.15,000/-
	Total compensation awarded :	(Rs.72,59,180/- in round figure Rs.72,59,200/-)

3. Learned counsel for the appellant submitted that the award be modified and compensation be reduced Rs.61,33,800/- as per the following calculations:-

Annual Income	Rs.4,46,310/-
Future Prospects @ 25%	(+)Rs.1,11,577/-
Total	(=)Rs.5,57,887/-
Deduction @ 1/4 th	(-) Rs.1,39,472/-
	(=)Rs.4,18,415/-
Multiplier	x14
Total loss of income assessed	=Rs.58,57,810/-
Funeral Expenses	+Rs.18,000/-
Loss of Estate	+Rs.18,000/-
Consortium	+ Rs.2,40,000 (Rs.48,000/- x 5)
Total compensation	Rs.61,33,810/- (rounded off to Rs.61,33,800/-)

4. Learned counsel for the respondent-claimants have no objection if the award is modified accordingly.

5. In view of the settlement *inter se* the parties, the impugned



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award is modified accordingly. The interest awarded by the Tribunal shall remain the same. The respondent-claimants shall receive the aforesaid amount in the same proportion in which the learned Tribunal has awarded the claim.

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

30.07.2025

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No