



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

**FAO No.936 of 2016**

**Date of decision : 05.05.2025**

Ramesh

....Appellant

Versus

Balihar Singh and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : Mr. Amit Chaudhary, Advocate  
for the appellant.

Mr. R.C. Gupta, Advocate  
for respondent No.3/Insurance Co.

**PANKAJ JAIN, J. (ORAL)**

Appellant is claimant, who suffered injuries in a motor-vehicular accident, dated 16.05.2014. He remained hospitalized from the date of accident till 25.07.2014. The claimant is a 42 year old man having agricultural holding of 10 acres and claims to be running a milk dairy. Dr. Vinod Sharma, SMO, General Hospital, Fatehabad appeared as PW1 and proved that the injured-claimant suffered permanent disability to the extent of 75% on account of multiple fractures.

2. Tribunal awarded him compensation as under:

1.	Pain & Suffering	Rs.25,000/-
2.	Permanent disability	Rs.1,50,000/-
3.	Medical expenses	Rs.4,00,000/-
4.	Loss of amenities of life, loss of earning capacity and future	Rs.60,000/-



	income etc.	
5.	Transportation charges	Rs.10,000/-
6.	Special diet and attendant	Rs.5,000/-
	Total	Rs.6,50,000/-

3. Keeping in view ratio of law laid down by Supreme Court in the case of **National Insurance Company Limited vs. Pranay Sethi and others'**, 2017 (16) SCC 680 and **Smt. Sarla Verma and others vs. Delhi Transport Corporation and another**, (2009)6 SCC 121, the compensation needs to be reworked. Loss of income on account of permanent disability needs to be assessed by applying multiplier method.

4. Income of the injured is taken as Rs.7,500/- per month keeping in view the minimum wages notified by State of Haryana, i.e. Rs.6,562/- per month. The monthly wages have been assessed more than minimum wages as the claimant is man of status having holding of 10 acres. Keeping in view his age at the time of accident i.e. 42 years, multiplier of 14 needs to be applied. Thus, his loss of income is assessed at Rs.9,45,000/- (Rs.5,625/- X 12 X 14). In view of ratio of law laid down in **Pranay Sethi's** case (supra), future prospects of 25% are to be added. Claimant is further awarded a sum of Rs.2,00,000/- for pain and sufferings. Rs.4,00,000/- as awarded on account of medical expenses on actual basis by the Tribunal, are maintained. Further amount of Rs.2,00,000/- is awarded for loss of amenities. Claimant is further awarded a sum of Rs.25,000/- for transportation charges; Rs.25,000/- for special diet, and Rs.25,000/- as attendant charges.



5. The appellant shall be entitled for interest @ 7.5% per annum on the enhanced amount, from the date of filing of the claim petition till the actual date of realization.
6. The impugned award is modified to the aforesaid extent.
7. Needless to say any amount already paid to the claimant/appellant in execution of the award shall be set off.
8. Instant appeal is disposed off accordingly.

**May 05, 2025**

**(Pankaj Jain)**

**Dpr**

**Judge**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No