



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

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FAO No. 6113 of 2024
Date of Decision: 11-09-2025

SALINDER AND ANOTHER**... Appellants**

Versus

SHEELA SHARMA AND OTHERS**... Respondents****CORAM: HON'BLE MR. JUSTICE VIRINDER AGGARWAL**

Present: Mr. Ishan Singh Cooner, Advocate
for the appellants.

VIRINDER AGGARWAL, J. (ORAL)

1. The present appeal has been filed by the claimants-appellants seeking enhancement of compensation awarded by the learned Motor Accident Claims Tribunal, Panchkula, (hereinafter referred as Tribunal), vide award dated 01.10.2024 passed in MACT Case No. MACP/91/2023.

2. The facts in brief are that the son of appellant No.1, namely Lakwinder, died in a motor vehicle accident on 05.06.2023. The Tribunal assessed the monthly income of the deceased at 10533/- being the minimum wages prevalent in the State of Haryana in year 2023, applied the multiplier of 18 considering the age of the deceased to be 21 years, and deducted one-half towards personal expenses as per *Smt. Sarla Verma versus Delhi Transport Corporation (SC) 2009(3) RCR(Civil) 77*. Further, Tribunal added future prospects at 40% in terms of the law laid down in *National Insurance Co. Ltd. v. Pranay Sethi (2017) 16 SCC 680*, Conventional sums towards consortium were also granted in light of *Magma General*



Insurance Co. Ltd. v. Nanu Ram (2018) 18 SCC 130. On this basis, the tribunal awarded compensation of 17,24,586/- along with interest at rate of 6% per annum.

3. The contentions raised before this Court are that the income of the deceased was wrongly restricted to minimum wages, as according to the appellants deceased was driver by profession and was earning 35000/- per month. Further, it was also contested that Tribunal has not awarded any compensation for medical expenses, love and affection and Interest rate was also meager. Also, the dependency should be altered to 1/3rd as deceased was not spending more than 1/3rd on himself. However, except for oral assertions, no documentary evidence whatsoever has been brought on record to substantiate claims with regard to income. In absence of any cogent proofs, the Tribunal was justified in relying upon the minimum wages as the safe standard for computing loss of dependency.

4. Having heard the learned counsel for the appellants and on perusal of the award, I find that the Tribunal has applied the correct legal principles. The income has been rightly determined, appropriate deduction applied, and set conventional heads awarded to each claimant as per binding precedents by ***Sarla verma(supra) and Pranay Sethi(supra) and Magma General Insurance(supra)***. Further, In ***United India Insurance Co. Ltd. v. Satinder Kaur @Satwinder Kaur, 2021 (11) SCC 780***, the Hon'ble Supreme Court Confirmed that loss of **love and affection** is not a separate head, and it can not be claimed separately, when consortium is granted. In Hence, there is no illegality, perversity, or jurisdictional error is pointed out in the impugned award.



5. In such circumstances, no valid ground is made out even for issuance of notice to the respondents. The appeal being devoid of merit is, accordingly, dismissed in limine.

11.09.2025

Saurav Pathania

**(VIRINDER AGGARWAL)
JUDGE**

- (i) Whether speaking/reasoned : Yes/No
- (ii) Whether reportable : Yes/No