



FAO-2052-1995

1

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH**FAO-2052-1995 (O&M)
Date of decision : 5.5.2025**

Bhriagu Nath Verma

... Appellant

VERSUS

Nav Kant

... Respondent

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: Ms. Khushboo Garg, Advocate, for
Mr. Abhilaksh Grover, Advocate,
for the appellant.

Mr. Suvir Diwan, Advocate,
for respondent No.3.

PANKAJ JAIN, J. (Oral)

The appellant has questioned the assessment of compensation granted by the Tribunal.

2. Counsel for the appellant submits that the claimant, who has been rendered disabled owing to amputation of right leg above the knee on account of injuries suffered by him in the motor vehicular accident, ought to have been awarded compensation assist by applying multiplier method. She asserts that even though the disability of the claimant has been assessed to be 70%, however, even as per the findings recorded by the Tribunal, the claimant has been rendered crippled and cannot now pursue his vocation as a dye-maker. He, thus, submits that the compensation ought to have been assessed by treating his functional disability to the extent of 100%. She



relies upon four Judges Bench judgment in case of **Pratap Narain Singh Deo v. Srinivas Sabata and another** (1976) 1 SCC 289.

3. Per contra, Mr. Dewan submits that the disability assessed by the Medical Board to the extent of 70% is with respect to the limb only and not with respect to whole body. However, Mr. Dewan is not in a position to dispute that the claimant has suffered amputation of right leg above the knee.

4. In view thereof, this Court finds that it will be apt to assess the disability of the claimant to the extent of 70% for the whole body. In place of lump sum amount, counsel for the appellant is right in contending that the compensation needs to be assessed applying the multiplier method. Same is tabulated as under : -

Income	$2800 \times 12 = 33,600$
Future Prospects (35 years)	40%
Income after Future Prospects	$33,600 + 40\% = 47,040$
Disability	70%
Revised Income	$47040 \times 70\% = 32,928$
Multiplier	16
Total Income	$32,928 \times 16 = 5,26,848$
Add : Pain and suffering	1,00,000
Add : Mental Agony	50,000
Total	8,26,848

The claimant is held entitled for interest @ 7% per annum from the date of filing the petition till the date of actual realization. Needless to say, amount already paid shall be set off.



FAO-2052-1995

3

5. Disposed of in the above terms.

**(PANKAJ JAIN)
JUDGE**

May 5, 2025
Paritosh Kumar

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