



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

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FAO-4302-2025

Date of Decision.: 20.04.2026

Priyanshi and Others

.....Appellants

Vs.

Rinku and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Naresh Kaushik, Advocate for the appellants.

DEEPAK GUPTA, J. (ORAL)

The present appeal has been preferred by the appellants—claimants seeking modification/enhancement of the award dated 01.05.2025 passed by the learned Motor Accident Claims Tribunal, Panchkula, whereby compensation to the tune of ₹42,58,384/- was awarded under Section 166 of the Motor Vehicles Act, 1988 on account of the death of Harsh Kaushik in a motor vehicular accident.

2. A brief recital of facts would show that the accident in question occurred on 09.10.2023, when Harsh Kaushik lost his life due to the rash and negligent driving of car bearing registration No. HR-03F-2323. The claim petition was instituted by the widow, minor daughter and parents of the deceased seeking compensation from the driver-cum-owner and insurer of the offending vehicle.

3. Upon appreciation of the evidence on record, the learned Tribunal returned a categorical finding that the accident had occurred due to the rash and negligent driving of the offending vehicle and consequently fastened joint and several liability upon the respondents to pay the awarded compensation along with interest.

4. In the present appeal, the challenge is narrowly confined. Learned counsel for the appellants has argued that the learned Tribunal erred in assessing the age of the deceased as 32–33 years and consequently applying the multiplier of '16'. It is contended that as per the



Aadhaar Card, the date of birth of the deceased was 13.10.1995 and, therefore, on the date of accident i.e. 09.10.2023, he was approximately 28 years of age, warranting application of multiplier '17' in terms of the settled principles laid down in ***Sarla Verma and others v. Delhi Transport Corporation and another (2009) 6 SCC 121***.

5. However, the aforesaid contention does not merit acceptance when tested on the touchstone of the evidentiary record. A perusal of the award reveals that the learned Tribunal has relied upon the pleadings of the claimants themselves, wherein the age of the deceased was specifically pleaded to be 32 years. Not only this, PW-2 Prerna Pathak, widow of the deceased, while stepping into the witness box, unequivocally deposed that the deceased was aged about 32 years at the time of his death. Thus, there existed a clear and consistent admission on behalf of the claimants regarding the age of the deceased.

6. It is a settled principle of law that admissions made in pleadings as well as in evidence constitute substantive evidence and bind the party unless satisfactorily explained. In the present case, no attempt has been made to either withdraw or explain the said admission.

7. This Court, during the course of hearing, specifically queried the learned counsel for the appellants as to whether any documentary evidence such as educational certificates or service records of the employer—Peregrine Guarding Pvt. Ltd., Zirakpur—reflecting the date of birth of the deceased was available. Learned counsel fairly conceded that no such record exists. Even the alleged Aadhaar Card, which forms the foundation of the present argument, has not been placed on record. There is also no material to establish the authenticity or the date of preparation of such document.

8. In absence of any cogent documentary evidence, the learned Tribunal was fully justified in placing reliance upon the pleadings and oral testimony of the claimants themselves. Once the age is taken to be within the bracket of 30–35 years, the application of multiplier '16' strictly conforms to the law laid down in ***Sarla Verma v. Delhi Transport***



Corporation (supra), which has been consistently followed and affirmed in subsequent judgments including **National Insurance Co. Ltd. v. Pranay Sethi and others (2017) 16 SCC 680**.

9. It is also pertinent to note that appellate interference in quantum is warranted only where the assessment by the Tribunal is shown to be either arbitrary, perverse or contrary to settled principles. In the present case, the determination of age and application of multiplier is based on admissions and proper appreciation of evidence and, therefore, does not call for interference.

10. No other argument has been advanced on behalf of the appellants.

11. In view of the foregoing discussion, this Court finds no illegality or infirmity in the impugned award passed by the learned Tribunal. The appeal, being devoid of merit, is accordingly dismissed.

(DEEPAK GUPTA)
JUDGE

April 20, 2026

Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No