



2026:PHHC:061804



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

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**CM-17440-CII-2025 in/and
FAO-5219-2025 (O&M)
Date of Decision: 23.04.2026**

Dhuniya Devi and Others

.....Appellants

Vs.

Raj Kumar and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Arun Kumar Gupta, Advocate
for the appellants.

Mr. Sidhant Mehra, Advocate
for respondent No.2.

DEEPAK GUPTA, J. (ORAL)

CM-17440-CII-2025:

This is an application under Section 5 of the Limitation Act to condone the delay of 48 days in filing the appeal.

For the reasons mentioned in the application duly supported by affidavit of appellant Dhuniya Devi, delay of 48 days in filing the appeal is hereby condoned.

Application stands disposed of accordingly.

Main case.:

Claimants are in this appeal seeking modification of the award dated 15.04.2025 of learned MACT, Panchkula on the issue of quantum of compensation. Regarding the compensation also, the only point raised by learned counsel is that all the three claimants being the widow and two children of the deceased were entitled to spousal/parental consortium @ ₹48,000/- per claimant but learned Tribunal has awarded only ₹40,000/- to the widow and nothing to the children.



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Notice of motion to respondent No.2- Insurance Company.

Mr. Sidhant Mehra, Advocate has accepted the notice and filed his memo of appearance.

Learned counsel for respondent No.2 could not refute the contention as raised by counsel for the appellants and has no objection in case, all the three claimants are allowed compensation under the head of consortium @ ₹48,000/- per claimant.

This takes the compensation under the head of consortium to ₹1,44,000/- (₹48,000/- X 3). ₹40,000/- has already been awarded by the Tribunal under this head. That will make the enhanced compensation at ₹1,04,000/-.

Consequently the present appeal is hereby disposed of by holding that in addition to the amount already awarded by the Tribunal, the appellants will also be entitled to enhanced compensation of ₹1,04,000/- along with interest @ 7.5% per annum from the date of filing of the petition till actual realization.

It is made clear that out of ₹1,04,000/-, ₹48,000/- each shall be payable to the two children along with proportionate interest; whereas ₹8,000/- shall be payable to the widow since she has been already been allowed ₹40,000/- by the Tribunal.

Disposed of.

**(DEEPAK GUPTA)
JUDGE**

April 23, 2026

Neetika Tuteja

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