



Non-Reportable

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

**Civil Appeal Nos. _____ of 2025
((@Special Leave Petition (C) Nos.5687-88 of 2020))**

Smt. Chandra Kala & Ors.

...Appellants

Versus

**ICICI Lombard Motor Insurance
Company Limited & Ors.**

...Respondents

ORDER

Leave granted.

2. The appeal is against the quantum of award. The award of the Tribunal was challenged in first appeal by both the claimants and the Insurance Company.

3. The appellants contended that the deceased was a Mason and was earning an income of Rs. 400 per day. The Tribunal found that there was no documentary proof and adopted the income of Rs. 189 per day, which the High Court confirmed was the accepted daily wage at the time when the accident occurred.

4. *Ramachandrappa vs. Manager, Royal Sundaram Alliance Insurance Company Limited*¹ held that a Coolie would be entitled to a minimum wage of Rs. 4,500/- in a month; with reference to an accident that occurred in 2004. Considering an incremental increase of Rs.500/- for every year, in 2014, when the accident in the present case occurred even a Coolie would have been entitled to Rs. 9,500/- per month. There can be no documentary proof offered for the income of a Mason, who is also a skilled worker. In any event, it would be safe to adopt a monthly income of Rs. 9,500/- The High Court, considering the decision in ***Pranay Sethi***², adopted a multiplier of 14 for the 43-year-old deceased, and also made an addition of 25% for future prospects and deducted 1/4th for personal expenses, which computation is perfectly in order.

5. As compensation for loss of consortium, the High Court has awarded an amount of Rs. 40,000/-. In fact, it was held that loss of parental and filial consortium is payable to wife and

¹ (2011) 13 SCC 236

² (2017) 16 SCC 680

children at the rate of Rs. 40,000/- each in ***New India Assurance Company v. Somwati and Ors.***³ In the present case, the wife and three minor children of the deceased were before Court claiming compensation for the death of the only breadwinner of their family. All the claimants are entitled to Rs. 40,000/- each for loss of consortium. In addition, on the conventional heads of loss of estate and funeral expenses, amount of Rs. 15,000/- each is awarded.

Sr. No.	Particulars	Amounts
1.	Compensation for loss of future income (Rs.9,500 x 12 x 14 x 125% x $\frac{3}{4}$)	Rs. 14,96,250/-
2.	Loss of consortium (Rs.40,000 x 4)	Rs. 1,60,000/-
3.	Loss of estate	Rs.15,000/-
4.	Funeral expenses	Rs.15,000/-
	Total	Rs.16,86,250/-

³ (2020) 9 SCC 644

6. The awarded amounts shall be paid, after deducting that already paid, with interest @ 6% per annum as directed by the Tribunal from the date of application till the date of payment.

7. The appeals stand allowed with the above-said modifications.

8. Pending application(s), if any, shall stand disposed of.

..... J.
(K. VINOD CHANDRAN)

..... J.
(N.V. ANJARIA)

NEW DELHI;
SEPTEMBER 26, 2025.