



2026:DHC:851



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\* IN THE HIGH COURT OF DELHI AT NEW DELHI

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Date of decision: 02<sup>nd</sup> February 2026+ MAC.APP. 494/2023

SMT IRSHAD BEGUM &amp; ANR.

.....Appellants

Through: Mr. S.N. Parashar and Mr. Ritik Singh, Advs.

versus

SH PAPPU &amp; ORS.

.....Respondents

Through: Mr. Sameer Nandwani and Ms. Niyati Jadaun, Advs. for R-3/Insurance Company.

**CORAM:****HON'BLE MR. JUSTICE ANISH DAYAL****JUDGMENT****ANISH DAYAL, J: (ORAL)**

1. This appeal has been filed seeking enhancement of compensation awarded by Motor Accidents Claims Tribunal, Dwarka Courts (hereinafter, '*Tribunal*') by order dated 20<sup>th</sup> September 2022 in MACT No.1773/2016 whereby Rs.12,26,000/- was awarded at an interest of 9% p.a.
2. The accident occurred on 22.09.2015 at about 2.30 p.m., when the deceased/*Mohd. Aleem* along with his friend *Meeraj* was travelling on a motorcycle bearing no. UP-26F-1511 from Pilibhit to Puranpur. The offending vehicle being driven by respondent no.1/driver came from the opposite side and hit the deceased/*Mohd. Aleem*. As a result of this, both



occupants of the motorcycle fell down and sustained grievous injuries and the deceased/*Mohd. Aleem* ultimately succumbed to his injuries.

3. *Mr. S.N. Parashar*, counsel appearing for appellants/claimants has raised a single issue relating to the benchmark income which was taken as the minimum wages of an unskilled worker at Rs.7,380/-. He states that documents had been filed by claimant showing that he was employed as a Field Engineer with *M/S LG Customer Service Network* earning Rs.15,000/- per month supported by salary certificate and employment records.

4. However, the Tribunal in paragraph 12 of the impugned award was of the opinion that the said documents have not been proved, particularly, by the signatory of said documents.

5. Document in question is an appointment letter dated 10<sup>th</sup> November 2014 issued by *M/S LG Customer Care Network, Pilibhit, U.P.* to deceased stating that he had been employed with them on a consolidated salary of Rs.15,000/- per month for the first one year, after which a revision would be worked out based on his performance, the joining date being 25<sup>th</sup> December 2014. The same was exhibited as **Ex.PW2/2. Ex. PW2/3 (Colly.)** were a set of salary slips, also issued by *M/S LG Customer Care Network. Sh. Mohd. Jubair, PW2*, who was working as a Supervisor in *LG Electronic India Pvt. Ltd.* through the Customer Care Network at *A-10, Awas Vikas, Pilibhit, U.P.* deposed that **Ex.PW2/2** was the original offer of employment given to deceased. He further stated that he was not aware, whether it was given to the deceased or not and further stated that it did not bear the designation or stamp of *Sh. Nazim*, owner of the company.

6. Subsequently, he had also stated that **Ex. PW2/3 (Colly.)** being the



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salary slips were prepared fresh as original record and were not available in the Company and did not bear the designation or stamp of *Sh. Nazim*.

7. In this light, the Tribunal was not inclined to accept the assertion of appellants/claimants that he was earning Rs.15,000/- per month on account of his employment.

8. The Court after having reviewed the documentation and hearing the parties, is not inclined to accept the plea of appellants/claimants or differ with the Tribunal on this issue. However, instead of granting minimum wages of an unskilled worker, minimum wages of a skilled worker could have been granted, considering that certain documents had been placed on record, along with testimony of *PW1*, mother of the deceased, who stated that deceased was earning Rs.15,000/- per month doing a permanent private job as a Field Engineer at *M/s LG Customer Care Network, Awas Vikas Colony, Pilibhit, U.P.* Even though the evidence furnished by appellants/claimants was not robust, the documents itself would indicate that deceased was engaged in the work of a customer care agency. This certainly would require '*skill*'.

9. Further, *Mr. Parashar*, counsel has placed on record an additional document, being the salary details as available on LG Customer Service Network. The said is extracted as under:



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LG CUSTOMER SERVICE NETWORK

Welcome : ILINQ2736200015 ASC : CUSTOMER CARE NETWORK-ASC

LG Electronics Home Logout

CSNet System

- Call Management
- Inventory Management
- New Bulletin Board
- ASC Online Support
- Options
- User Management
  - Register
  - Update
  - Awast / Penalty
  - Reset
  - Registration Report
- OSO
  - Report
- PL Management
- Password Change
- Resend AMC-TCR Rpt
- CSNET(PLUS)

View Personal Details

First Name: ALEEM  
Last Name: ANSARI  
Designation: Field Engineer  
Current Address: MOH DEHAT RAZA GANJ, PURANPUR  
State: Uttar Pradesh  
City: PURANPUR  
Permanent Address: MOH DEHAT RAZA GANJ, PURANPUR  
Email ID: aleemansari@gmail.com  
Date Of Birth: 01 / 08 / 1989

Mobile No.: 9800049400  
Tel. No.: 05662 250000  
Date: PLESHET  
Tel. No.:  
LG Join Date (Current ASC): 25 / 12 / 2014  
Gender: Male

Experience:  
Select (Start from Current Comp.):  
Name of Company: PERSONAL  
Firm Name & City: PLESHET

From Date: 01 / 02 / 2010  
To Date: 25 / 08 / 2014

Qualification:  
Basic Qualification: 12th  
Other Qualification: PRIVATE DIPLOMA AC

Insurance:  
Nominee Name: Ishad Begam  
Relation with Employee: Mother

Salary Details (Per Month):  
Salary in hand: 10000  
Conveyance Type: 33  
ESMPF (FIR): N  
Last Payment Date: 25 / 12 / 2014

Incentive: 500  
Conveyance rate: 2  
Mobile Charges: 300  
Last Salary paid by ASC: 9

View Upload Resume: [Click To Upload](#)  
View Proof of Address: [Click To Upload](#)

View Upload Image:  No

Customer Care Network  
PLESHET

10. Mr. Parashar, counsel responsibly states that this detail is still available on the Customer Service Network of LG and could also be verified by respondent no.3/Insurance Company.

11. Taking into account these circumstances, the Court is of the opinion that minimum wages of a skilled worker, at least, should have been considered for the deceased, which is Rs.9,575/-, as informed to the Court

12. Counsel for respondent no.3/Insurance Company does object to the same, however, in the Court's opinion, this objection is not merited, considering there is reasonable evidence on record that he was working with LG (electronics company) in the Customer Care Network and there was no evidence on record to state that he was an unskilled worker, without any skill whatsoever.

13. A similar view has been taken by this Court in ***Dimple @ Dimple Verma & Ors. v. Afasar Ali & Ors (The New India Assurance Co. Ltd)***



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2026:DHC:608, where benchmark income of deceased was reassessed to be that of a skilled worker instead of an unskilled worker, by placing reliance on an identity card issued by the employer of deceased and Certificate of Participation of the deceased in a training programme. Additionally, these documents were presented by the wife of deceased, as proof to her testimony that the deceased was earning Rs. 22,000/- per month, contrary to the minimum wage of Rs. 14,000/- adduced by the Tribunal.

14. In the case at hand, it is also noted that the deceased was a *matriculate* and his matriculation certificate was appended as *Ex.PW1/6*.

15. In these circumstances, the appeal is allowed.

16. The revised computation is as under:

S. No.	Heads	Awarded by the Tribunal	Awarded by this Court
1	Income of deceased (A)	Rs. 7,380 /- (Monthly)	Rs. 9,575/- (Monthly)
2	Add Future Prospects (B) @ 40%	Rs. 2,952/- (Monthly)	Rs. 3,830/- (Monthly)
3	Less Personal expenses of the deceased (C) @ 50%	Rs. 5,166- (Monthly)	Rs. 6,702.5/-(Monthly)
4	Monthly loss of dependency [(A +B)-C = D]	Rs. 5,166	Rs. 6,702.5
5	Annual loss of dependency (Dx12)	Rs. 61,992	Rs. 80,430
6	Multiplier (E)	18	18
7	Total loss of dependency (Dx12xE = F)	Rs. 11,15,856/-	Rs. 14,47,740/-
8	Medical expenses (G)	Nil	Nil
9	Compensation for loss of love and affection (H)	Nil	Nil
10	Compensation for loss of consortium (40,000x2) (I)	Rs. 80,000/-	Rs. 80,000/-
11	Compensation for loss of estate (J)	Rs. 15,000/-	Rs. 15,000/-



12	Compensation towards funeral expenses (K)	Rs. 15,000/-	Rs. 15,000/-
13	Total compensation (F+G+H+I+J+K = L)	Rs. 12,25,856/- (round of to Rs.12,26,000/-)	Rs. 15,57,740
14	Rate of Interest Awarded	9%	9%

17. Enhanced amount will be deposited before the Tribunal within a period of 4 weeks and shall be disbursed as per the directions to be given by the Tribunal.

18. List before the Tribunal on 25<sup>th</sup> February 2026.

19. Statutory deposit, if any, be refunded to the appellants.

20. Copy of this Judgment be sent to the concerned MACT.

21. Appeal stands disposed of with above directions. Pending applications, if any, are rendered infructuous.

22. Judgment be uploaded on the website of this Court.

**ANISH DAYAL, J**

**FEBRUARY 02, 2026/mk/sp**