



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

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**MAC.APP. 494/2023**

SMT IRSYAD BEGUM & ANR.

.....Appellants

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

versus

SH PAPPU & 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



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:



LG CUSTOMER SERVICE NETWORK

Welcome: ILIN0273620015 ASC : CUSTOMER CARE NETWORK-ASC

LG Electronics

Home Logoff

<input type="checkbox"/> CSNet System	View Personal Details			
<input type="checkbox"/> Call Management	First Name	ALISH	Middle Name	
<input type="checkbox"/> Inventory Management	Last Name	ansari	Mobile No.	
<input type="checkbox"/> New Bulletin Board	Designation	Field Engineer	Tel. No.	
<input type="checkbox"/> ASC Online Support	Current Address	MOH DEHAT RAZA SAMI PURANPUR	State	
<input type="checkbox"/> Options	State	Uttar Pradesh	Date	
<input type="checkbox"/> User Management	City	PURANPUR	Tel. No.	
<input type="checkbox"/> Register	Permanent Address	MOH DEHAT RAZA SAMI PURANPUR	LG Join Date (Current ASC)	
<input type="checkbox"/> Update	Email ID	alishansari@gmail.com	Gender	
<input type="checkbox"/> Award / Penalty	Date Of Birth	01/08/1989	From Date	
<input type="checkbox"/> Report	Experience	Selected Start from Current Comp.:	To Date	
<input type="checkbox"/> O&O	PERSONAL	PERSONAL	01/02/2010	20/08/2014
<input type="checkbox"/> PI Management	Qualification	12th	Other Qualification	
<input type="checkbox"/> Password Change	Basic Qualification		PRIVATE DEPARTMENT	
<input type="checkbox"/> Resend AMC-TCR Rpt.	Insurance		Relation with Employee	
<input type="checkbox"/> CSNET(PLUS)	Non-Insurance Name	Initial Sagar	Mother	
Salary Details (Per Month)				
Salary in hand	10000	Incendiary	000	
Conveyance Type	33	Conveyance rate	2	
ESUM (Y/N)	N	Mobile Charges	300	
Last Increment Date	25/12/2014	Last Salary paid by ASC	00	
View Upload Resume				
View Proof of Address				

*Customer Care Network  
PILBHUZ*

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/-



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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 off 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**