2026 INSC 950

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 12085 OF 2026

RELIANCE GENERAL INSURANCE COMPANY LIMITED **... APPELLANT(S)**

VERSUS

PRIYANKA DAS AND OTHERS **... RESPONDENT(S)**

WITH

CIVIL APPEAL NO. 12086 OF 2026

J U D G M E N T

S.V.N. BHATTI, J.

1. The Civil Appeals arise from the Order dated 24.01.2019 in FAO Nos. 3607 and 5444 of 2017 (O&M) of the High Court of Punjab and Haryana.

2. Civil Appeal No. 12085 of 2026 is at the instance of Reliance General Insurance Company Limited, and Civil Appeal No. 12086 of 2026 is at the instance of the Claimant.

3. On 10.04.2011 at around 05.30 P.M., an accident occurred near Brijghat Bridge between a motorcycle and a heavy goods vehicle bearing No. HR-55-2812. The motorcycle was driven by Sushant Prabhakaran, and Priyanka Das/Claimant was the pillion rider. The FIR narrates the accident, and the Chargesheet states that the heavy goods vehicle hit the motorcycle, causing the riders to fall, and the truck ran over Sushant Prabhakaran, resulting in his instantaneous death. The Claimant/pillion rider sustained grievous multiple injuries to vital parts of the body. FIR No. 198, dated 10.04.2011, was registered at Police Station Gadmukteshwar on the complaint received from passerby/third party Radhe Shyam Kaushik. The Civil Appeals are confined to the claim for compensation arising from the demise of Sushant Prabhakaran. At the time of his death, Late Sushant Prabhakaran was 33 years old and employed as Manager, Contact Centre, at Ericsson India Private Limited, DLF Cyber City, Gurugram. Sahadeov Prasad is the father, and Sandhya Prasad is the mother of the deceased. It was pleaded in the Claim Petition that the Claimant was the widow of Sushant Prabhakaran.

4. MACT Petition No. 9 of 2014 was filed by Priyanka Das, the injured pillion rider, claiming compensation of Rs. 5 crores, together with interest at 18% per annum. The parents of the deceased were arrayed as Proforma Respondent Nos. 4 and 5 in MACT Petition No. 9 of 2014 before the Court of the Motor Accident Claims Tribunal, Gurugram ("The Tribunal").

5. The Claimant, in support of the claim for Rs.5 crores in compensation, primarily relied on the evidence of Ajay Kumar Chadha, PW-11, and the salary slips of Sushant Prabhkar, marked as Exhibit PW-11/A, which evidenced the deceased's income/salary at the time of the accident. The Tribunal, on 03.04.2017, awarded Rs.82,56,152/- and apportioned as follows:

1. Priyanka Das: Rs. 5,00,000/-.
2. Sahadeov Prasad: Rs. 50,000/-

3. Sandhya Prasad: Rs.77,06,152/-

6. On negligence and the cause of the accident, the Tribunal held that the determination of compensation before the Tribunal is summary in nature and that negligence is evaluated on the preponderance of probabilities, rather than the strict criminal standard of "proof beyond reasonable doubt". PW-9, the injured pillion rider, has deposed to the circumstances leading to the accident. The manner in which the motorcycle was crushed beneath the truck's tyres established that the accident was due to the rash and negligent driving of the truck driver examined as RW-2. The Insurer's defence that the terms of the Insurance Policy have been violated was rejected, inasmuch as the Insurer contended that the Vehicle No. HR-55-2812 did not have a valid fitness certificate. This contention is disbelieved upon appreciation of the contemporaneous Registration Certificate of the vehicle marked as Exhibit-R6. Consequently, the Tribunal fastened liability of Rs.82,56,152/- on the Insurer.

7. The Tribunal, in apportioning compensation, did not accept Priyanka Das's claim that she was the legally wedded wife of Sushant Prabhakaran. There is no documentary evidence of the factum of their marriage. While rejecting her status as a legally wedded wife, the Tribunal appreciated Exhibits P-13 and P-14, i.e., employment records, in asserting the status she claimed as the wife of the deceased Sushant Prabhakaran. In the circumstances, the Tribunal concluded that Priyanka Das had listed the deceased, Sushant Prabhakaran, as her fiancé. The Tribunal considered Priyanka Das's independent standing and recorded that she was not financially dependent on the deceased. As per Exhibit P-11/A, the deceased's gross salary was Rs.10,65,600/- per annum, and after deduction, the salary was determined at Rs.8,94,100/-. The Tribunal, after adding 50 per cent towards future prospects and applying a deduction of 50 per cent, determined the annual pendency loss at Rs.6,70,575/-.

8. The age of the deceased was established as 33 years, and a multiplier of sixteen was applied. Accordingly, the total loss of dependency was determined to be Rs. 1,07,29,200/-. From the gross total of Rs. 1,08,54,200/, the amount received under the Personal Accidental Term Policy was deducted. Accordingly, the net compensation was determined to be Rs. 82,56,152/-.

9. The Insurer and the Claimant preferred FAO Nos. 3607 and 5444 of 2017 before the High Court. By the Impugned Judgment, the High Court made a minor modification to the apportionment of compensation, thereby increasing the compensation awarded to Priyanka Das from Rs.5,00,000/- to Rs.7,50,000/-. The Insurer challenges the quantum of compensation awarded, and Priyanka Das challenges the apportionment of compensation by refusing to treat her as the legally wedded wife of the deceased Sushant Prabhakaran.

10. We have heard the learned Senior Counsel appearing for the parties and perused the record.

11. The findings of fact by the Tribunal on Negligence are summed hereunder:-

A. The MACT proceedings are summary in nature, and negligence is assessed on the "preponderance of probabilities" rather than the strict criminal standard of "proof beyond reasonable doubt".

B. Priyanka Das deposed as PW-9 and testified as an eyewitness to the accident. The insurer's argument that she couldn't have accurately observed the truck driver's negligence was rejected.

C. It was held that the truck's tyres were high enough to crush a motorcycle beneath them without leaving any body scratches.

D. While being examined as RW-2, the truck driver admitted that he was on trial in an ongoing criminal case under FIR No. 198 and confirmed that his licence and truck were impounded at the scene. He further admitted that he had never filed a complaint with any Authority on the ground that he was falsely implicated.

12. Therefore, first, there is no serious challenge by the Insurer to these findings of fact, and second, from the binding precedents on the point, namely the registration of the FIR, the Chargesheet discharged the primary onus, thereby strengthening the case that the accident occurred due to the rash and negligent driving of the accused in FIR No. 198. We are not referring to the precedents and will proceed to consider the next issue, namely the apportionment of compensation between Priyanka Das, on the one hand, and the parents of the deceased, Sushant Prabhakaran, on the other.

13. Further, it is argued on behalf of the Insurer that the multiplier applied in determining the compensation is erroneous. The compensation is awarded to the deceased's parents. Therefore, the multiplier ought to correspond to the age of the deceased's parents. The respondents argued that this argument is no longer *res integra* and that the binding precedents of this Court enable the Tribunal to consider the deceased's age when applying the multiplier. The MACT and the High Court rejected the Insurer's argument, holding that the legal position has evolved and is now settled in favour of using the deceased's age. The High Court relied on *Sarla Verma v. Delhi Transport Corporation*,[1] which standardised the multiplier table, and subsequent Judgments began applying the deceased's age uniformly. Further, a Three-Judge Bench of this Court in *Munna Lal Jain v. Vipin Kumar Sharma*[2] held that the multiplier should depend on the deceased's age and not on the dependents' ages. Further, the High Court, while relying on *Sube Singh v. Shyam Singh*,[3] clarified that the issue "is no more res integra". This Court, in *Sube Singh* (*supra*), affirmed the *Munna Lal Jain* (*supra*) ruling that the multiplier must depend on the age of the deceased bachelor, not the parents.

14. To ensure consistent calculations across the country, this Court introduced a standardised multiplier matrix in *Sarla Verma (supra)*. This matrix was validated by a Five-Judge Bench in *Pranay Sethi*.[4] Addressing the specific legal question of which multiplier method would apply to the bachelors, a Three-Judge Bench of this Court in *Munna Lal Jain* (*supra*) held that the multiplier must be determined by the age of the deceased, not by the age of the dependents. This was later confirmed by a subsequent ruling of this

[1] (2009) 6 SCC 121.
[2] (2015) 6 SCC 347.
[3] (2018) 3 SCC 18.
[4] National Insurance Co. Ltd. v. Pranay Sethi & Ors., (2017) 16 SCC 680.

Court in *Sube Singh* (*supra*), which held that this rule is no longer *res integra*. The deceased, Shushant Prabhakaran, was 33 years old at the time of the accident. According to the standardised matrix established in *Sarla Verma* (*supra*) and approved in *Pranay Sethi (supra*), the age bracket of 31 to 35 corresponds directly to a multiplier of 16. Therefore, the MACT and the High Court correctly applied a multiplier of 16 in determining the compensation.

15. Priyanka Das pursued the claim for compensation asserting a clear case that she is the wife of the deceased Sushant Prabhakaran. The burden of proof, even in a summary proceeding as the present one indisputably, is with Priyanka Das. The Tribunal and the High Court have appreciated the oral and documentary evidence pleaded to confirm the finding of fact that Priyanka Das was not his legally wedded wife. We are not reappreciating the evidence to record a different finding, nor to express our concurrence with the view taken by the Tribunal and the High Court. The above considerations take us to the other serious point argued by Mr Prashanto Chandra Sen, learned Senior Advocate, appearing for Priyanka Das. He argues that the Courts have rightly relied upon the precedent in *the Manjuri Bera*[5] case but granted 5 per cent apportionment of the total compensation received on the demise of Sushant Prabhakaran. The claim of Priyanka Das for injuries is considered separately and determined by a judgment of even date. In matters such as the present, mathematical precision is not always sought or applied by the Courts and the Tribunals, but the claimants are awarded just and fair compensation and in the process, what is due is not denied; what is undeserving is not

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[5] Manjuri Bera v. Oriental Insurance Co. Ltd. & Anr., (2007) 10 SCC 643.

awarded. For the above reasons, the Impugned Judgment has followed the binding precedents, and therefore, does not warrant interference.

16. Civil Appeals fail and are accordingly dismissed.

17. Pending Application(s), if any, shall stand disposed of accordingly. No order as to costs.

..................................J.
[S.V.N. BHATTI]

..................................J.
[N.V. ANJARIA]

New Delhi;
September 3, 2026.

NON-REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 12087-12088 OF 2026

RELIANCE GENERAL INSURANCE COMPANY LIMITED **... APPELLANT(S)**

VERSUS

PRIYANKA DAS AND OTHERS **... RESPONDENT(S)**

WITH

CIVIL APPEAL NO. 12089 OF 2026

J U D G M E N T

S.V.N. BHATTI, J.

1. On 10.04.2011 at around 05.30 pm, Sushant Prabhakaran and Priyanka Das, the Claimant herein, were riding a motorcycle and proceeding towards Gurgaon. A truck bearing No. HR-55-2812 hit the motorcycle, resulting in an accident. Sushant Prabhakaran fell under the wheels of the said truck and died on the spot. The truck bearing No. HR-55-2812 was insured by Reliance General Insurance Company Limited. The Claimant sustained grievous injuries to several parts of her body. On the complaint of a passerby/third party, Radhe Shyam Kaushik, FIR No. 198 was registered at Police Station Gadmukteshwar.

2. The Claimant was admitted immediately as a patient at Anand Hospital, Meerut, with pelvic fractures and blindness. The Claimant was admitted and treated at Fortis Hospital, Noida, between 12.04.2011 and 11.06.2011. During the first phase of hospitalisation, the Claimant underwent pelvic reconstruction. She was further admitted and treated at Kailash Hospital, Noida, between 11.06.2011 and 26.08.2011 for rectal/colostomy surgeries.

3. On 30.01.2014, the Claimant appeared before Dr. Radhika Tandon (AIIMS, New Delhi) for assessment of visual impairment. Dr. Radhika Tandon certified that the Claimant suffered 100 per cent visual disability and is a handicap as a result of the accident. The Claimant survived the surgeries, trauma, and pain, and thereafter filed MACT Petition No. 94 of 2014, claiming compensation of Rs. 12 Crores along with interest at 15 per cent per annum. At the time of the accident, the Claimant was 35 years old and was working as Deputy Group Manager with IBM Daksh, Concentrix Daksh Services India Pvt. Ltd., in Cyber City, Gurgaon. The Claimant sought the sum referred to above based on her additional qualification, the injuries suffered, the loss of quality of life, and the need for 24-hour nursing assistance. The Gastrointestinal Surgery Department, AIIMS, New Delhi, certified on 08.01.2015 that the Claimant requires a permanent colostomy stoma for life.

4. The Claimant examined herself as PW-9 and had PW-1 to PW-11 examined on her behalf, and Exhibits P-1 to P-556. The evidence of PW-9 and of Deepak Swami, examined as PW-6, a Deputy Manager at IBM Daksh, Concentrix Daksh Services India Pvt. Ltd. in Cyber City, Gurgaon, is important for disposing of the Civil Appeals. PW-6 deposed to the Claimant's salary particulars, the increase in her salary, and that the Claimant remained on leave without pay from the employer for 19 months.

5. The Tribunal assessed functional disability at 60 per cent and noted that her Cost to Company has increased from 16 lakhs to 19 lakhs per annum post-accident, and that there is no net loss of income to the Claimant. The Tribunal, in the Award dated 03.04.2017, calculated the loss of future income at Rs. 98,78,105/- and awarded a total compensation of Rs. 1,35,53,298/-. The Tribunal, on the extent of injuries, the periods of hospitalisation, and the direct and indirect expenses during the Claimant's hospitalisation, analysed the pleadings, evidence and held as follows:

A. Through testimony from multiple witnesses and hospital records from Anand Hospital, Fortis, Kailash, and Nitin Hospital, the Claimant proved that she sustained several injuries. These included a pelvic fracture, a severe degloving injury to the perineal region, and third-degree friction burns to her bilateral gluteal region.

B. Dr. Radhika Tandon deposed as PW1 and issued a Disability Certificate as Exhibit P1 confirming that the Claimant sustained 100% permanent physical disability due to "traumatic bilateral occipital gliosis," resulting in total, incurable loss of vision.

C. Dr. Peush Sahni, deposed as PW3, testified that attempts to surgically restore her large intestine failed, resulting in her needing a permanent stoma.

6. Notwithstanding the above extent of injuries, in deciding the Claimant's entitlement to compensation, the Tribunal has examined the functional and physical disability the Claimant has suffered. The Tribunal's consideration of functional and physical disability is stated as follows:

A. While the Medical Certificate proved a 100% physical disability, the Insurer brought out during cross-examination that the Claimant was still employed as a Deputy Group Manager and earning a salary.

B. The Claimant was only able to work using highly specialised assistive software provided by her employer. Because assessing loss of earning capacity requires looking at employability in the open market, her functional disability was assessed at 60%.

7. The Tribunal examined the documentary evidence produced in support of the claim for medical expenses, etc. The important aspects are negligence and the fastening of liability in the award of compensation. The Tribunal held as follows:

A. The MACT proceedings are summary in nature, and negligence is evaluated on the "preponderance of probabilities" rather than the strict criminal standard of "proof beyond reasonable doubt".

B. Ms Priyanka Das deposed as PW-9 and testified as an eyewitness to the accident. The Insurer's argument that she couldn't have accurately observed the truck's negligence was rejected.

C. The truck's tyres are high enough to crush a motorcycle underneath without leaving any scratches on the body.

D. While being examined as RW-2, the truck driver admitted that he was on trial in an ongoing criminal case under FIR No. 198 and confirmed that his licence and truck were impounded at the scene. He further admitted that he had never filed a complaint with any authority on the ground that he was falsely implicated.

E. The driver, the owner, and the Insurer were held liable jointly and severally. The Insurer attempted to claim that the vehicle lacked a valid Fitness Certificate, but the Registration Certificate, which is Exhibit R6, proved otherwise, thereby making the Insurer legally bound to indemnify the owner.

8. This led to the Insurer filing FAO No. 3608 of 2017 and the Claimant filing the cross-appeal bearing FAO No. 5436 of 2017 before the High Court of Punjab and Haryana. The High Court dismissed FAO No. 3608 of 2017 and partially allowed the Claimant's cross-appeal. The primary aspects on which the High Court modified the Tribunal's view were the functional disability, which it increased from 60 per cent to 80 per cent, and the award of a 50 per cent increase towards future prospects on the proved salary of the Claimant. Regarding the injuries recorded, the High Court noted as under:

A. The testimonies and records of various medical professionals established that the Claimant was treated at multiple hospitals, including Anand Hospital (Meerut), Fortis Hospital (Noida), Kailash Hospital, Heart Institute (Noida), and Nitin Hospital (Patiala). Despite an attempt to restore continuity of her large intestine at AIIMS, the procedure failed, leaving her with a permanent stoma for the rest of her life.

B. The Insurer argued that the Tribunal's assessment of a 60% functional disability was too high because the Claimant continued to work at IBM (now Concentrix Daksh) and had received salary increments. The Claimant (PW9), in her testimony, clarified that she cannot see at all and manages her work exclusively through special software provided by her employer. The Tribunal took into account additional evidence filed via CM No. 4895-CII of 2018, i.e., a letter from her employer's authorised signatory, which stated that since joining in 2003, the Claimant secured only four promotions up to 2018, confirming as a matter of fact that she lost out on career growth due to the accident. Based on her severe physical condition, i.e., blindness, pelvic injuries, permanent stoma and the impact on her career trajectory, it was held that the 60% assessment was on the lower side and was enhanced to 80% for her functional disability.

C. The Court awarded 50% for loss of future prospects because the Claimant was treated as a permanent employee at her workplace. Relying on this Court's Judgment in *Pappu Deo Yadav v. Naresh Kumar & Ors.*[1], the High Court held that the assessment of permanent disablement must focus on the resulting loss of the Claimant's income-generating capacity, rather than merely the medical percentage of limb impairment, thereby making the multiplier method applicable. Accordingly, a multiplier of '16' was appropriate given the Claimant's age.

9. The High Court awarded compensation for attendant charges, special diet, future medical expenses, loss of income during hospitalisation/treatment, pain and suffering, loss of marriage prospects, and a lump-sum amount for transportation and accidental expenses for amenities, as claimed by the Claimant. It is appropriate to present the compensation awarded by the Tribunal and the High Court in the following table: -

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[1] (2022) 13 SCC 790.

HEAD OF CLAIM	**MACT (RS.)**	**HIGH COURT (RS.)**
Hospitalization, Pain & Suffering	2,00,000/-	10,00,000/-
Medical Expenses / Bills	35,48,798/-	35,48,798/-
Future Medical Expenses	Nil	10,00,000/-
Attendant Charges	1,00,000/-	19,20,000/-
Special Diet	50,000/-	2,00,000/-
Transportation Charges	Nil	1,50,000/-
Loss of Salary / Income	4,76,500/- *(for 5 months, 20 days)*	15,97,083/- *(for 19 months)*
Physical Disability & Loss of Future Income	90,78,000/-	1,93,66,736/-
Loss of Amenities of Life & Disfiguration	50,000/-	2,00,000/-
Loss of Prospects of Marriage	50,000/-	5,00,000/-
Total Compensation	**Rs. 1,35,53,298/-**	**Rs. 2,94,82,617/-**

10. Hence, the Civil Appeals are at the instance of the Insurer and the Claimant. In Civil Appeal Nos. 12087-12088 of 2026, the Insurer primarily assails the determination and award of compensation, contending that:

1. There is no functional disability or loss of earning capacity, as her CTC increased from Rs.16,00,000/- to Rs. 19,00,000/-, and the Claimant continued to be employed as Deputy Group Manager.
2. The High Court erred in applying *Pappu Deo Yadav* (*supra*) and in awarding 50% on future prospects.

3. High Court wrongly awarded Rs. 19,20,000/- towards attendant charges on a multiplier basis without any proof of actual payments to any maid or driver.
4. Objection is raised to the award of Rs. 10,00,000/- for future medical expenses, as her medical treatment was covered under IBM's group insurance policy.

11. Per contra, the Claimant in Civil Appeal No. 12089 of 2026 prays for enhancement of compensation principally by contending that: -

1. Her functional disability is 100% because she is completely blind and has a permanent stoma.
2. Loss of future income should be calculated based on a 100% functional disability, i.e., Rs. 2,42,08,416/-, instead of Rs. 1,93,66,736/-.
3. Special Diet and future medical expenses are low.
4. She proved actual attendant charges of Rs. 10,000-12,000/- per month for a maid and a driver, as evidenced by vouchers, i.e., Exhibits Nos. P-349 to P-406, and the High Court should have awarded Rs. 42,24,000/-.

12. On 17.10.2025, this Court passed an order directing the Claimant to appear before the Medical Board of Vardhman Mahavir Medical College & Safdarjung Hospital, New Delhi, for a medical re-examination to determine the functional and physical disability the Claimant has suffered on account of the accident injuries. The Medical Board consisted of representatives from Neurology, Neurosurgery, Ophthalmology, General Surgery, CIO, and Physical Medicine and Rehabilitation (PMR). The Report dated 28.02.2026 concludes that the Claimant suffered a total permanent physical impairment of 100 per cent of the whole body due to the said incident.

13. The learned Senior Counsel appearing for the Insurer contends that the compensation awarded to the Claimant, even assuming, without admitting, that the Claimant suffered 100 per cent permanent physical impairment, is excessive. The Claimant has neither lost employment opportunities nor earning capacity. Therefore, the functional disability should be the yardstick for determining compensation under the permissible heads.

14. *Per contra*, the learned Senior Counsel for the Claimant contends that the latest Medical Board report from a reputed Government hospital entitles the Claimant to enhanced compensation, as this is a case of life without functional limbs/organs. The argument on actual and functional disability in the case at hand is rendered insignificant by the contemporaneous report. The Insurer is estopped from disputing or denying additional compensation, having accepted the suggestion for a fresh evaluation of the Claimant by a competent Medical Board.

15. We have heard the learned Counsel and perused the record, particularly the Medical Board's Report dated 28.02.2026. The said Report is taken on record and marked as Court Exhibit.

16. The Insurer's case is on actual and functional disability. Even if the Claimant has suffered 100 per cent permanent physical impairment from continuous employment, the compensation awarded is either excessive or she is not entitled to any more.

17. The contention is merely noted and rejected. The Medical Board's opinion will now be the guiding factor in determining the compensation for injuries suffered by the Claimants in the accident dated 10.04.2011. The Insurer's argument is tested from both perspectives. Firstly, if the latest report of the Medical Board indicates less permanent physical impairment to the Claimant, the Insurer would press the argument for determining the compensation as assessed by the Medical Board. Therefore, once the Medical Board's report is against the Insurer's argument, it cannot be heard to argue that the compensation is payable at a lesser percentage than assessed by the duly constituted Medical Board. Having invited the Medical Board's opinion, for which no objection could be taken by either of the parties, and considering the number of surgeries the Claimant had undergone, the compensation has to be accordingly re-determined.

18. The medical assessment conducted pursuant to this Court's directives evaluates the Claimant's condition. On 27.02.2026, a multi-disciplinary Medical Board at Vardhman Mahavir Medical College & Safdarjung Hospital, chaired by Dr. Vandana Chakravarty, examined the Claimant. The Medical Board concluded that the Claimant suffers from a 100% Permanent Physical Impairment (PPI) affecting her whole body. Further, Exhibit P1, issued by Dr Radhika Tandon of the Dr Rajendra Prasad Centre for Ophthalmic Sciences at AIIMS New Delhi, established that the Claimant is 100% visually handicapped due to post-traumatic bilateral cortical blindness. Furthermore, Exhibit P2, provided by Dr. Peush Sahni of the Department of Gastrointestinal Surgery at AIIMS, confirmed that the continuity of her large intestine could not be restored because of a complication due to a communication between the rectal stump and a wound in her lower back, thus necessitating a permanent stoma for the rest of her life.

19. The calculation of functional disability depends on assessing the victim's earning capacity in the open, competitive market, rather than on retention in a specific, highly accommodated role. Evidence before the High Court, specifically the Career Growth Letter dated 06.02.2018 from her employer, confirmed that the Claimant lost out on her normal career growth and promotional progression, including advancement to the positions of General Manager, Director, or Vice President, as a result of the accident. The record further indicates that she is able to perform her current duties only through specially created software, flexible working hours, and extreme accommodations provided by her employer as an act of corporate compassion.

20. Based on the official Medical Board Report issued by Vardhman Mahavir Medical College & Safdarjung Hospital, which evaluated the Claimant and certified a 100% PPI of the whole body due to post-traumatic head injury with cortical blindness, pelvic fracture, and a permanent colostomy, the compensation calculation shifts from the High Court's 80% assessment to a 100% functional disability because the Claimant's capacity to independently secure, sustain, or advance employment in the open labour market has been entirely extinguished.

21. The Court is exercising its discretion in the peculiar facts and circumstances of this case to arrive at just and fair compensation payable to the Claimant. The Claimant is a well-educated lady with a reasonable income. In the circumstances of the present case, which shall not be treated as a precedent, a reasonable sum for the loss of marriage prospects, i.e., Rs. 20,00,000/-, is considered. Therefore, the compensation on the basis of 100 per cent functional disability/permanent physical impairment needs to be revised as follows:

A. **Monthly Income:** Rs. 84,057/-

B. **Annual Income:** Rs. 10,08,684/- (Rs. 84,057 × 12)

C. **Loss of Annual Income (100%):** Rs. 10,08,684/-

D. **Future Prospects (50%):** Rs. 5,04,342/- (50% of Rs. 10,08,684)

E. **Total Annual Financial Loss:** Rs. 15,13,026/- (Rs. 10,08,684 + Rs. 5,04,342)

F. **Multiplier:** 16

G. **Total Loss of Future Income: Rs. 2,42,08,416/-** (Rs. 15,13,026 × 16)

HEADS OF COMPENSATION	**AMOUNT (IN RS.)**
1. Loss of Future Earning Capacity (100% disability, 50% future prospects, 16 multiplier)	2,42,08,416/-
2. Towards Medical Bills reimbursement	35,48,798/-
3. Attendant Charges (Calculated for three attendants) *(Recalculated for 3 attendants / 24 x 7 care)*	28,80,000/-
4. Loss of Income During Treatment (19 months)	15,97,083/-
5. Future Medical Expenses	15,00,000/-
6. Pain, Suffering & Mental Agony determined for the periods of hospitalisation and the operations undergone	15,00,000/-
7. Loss of Marriage Prospects	20,00,000/-
8. Special Diet	2,00,000/-
9. Loss of Amenities of Life & Disfiguration	2,00,000/-
10. Transportation Charges	1,50,000/-
Total Compensation	**Rs. 3,77,84,297/-**

22. Hence, the total compensation awarded is Rs. 3,77,84,297/- (Three Crores Seventy-Seven Lakhs Eighty-Four Thousand Two Hundred and Ninety-Seven), with interest at 7.5 per cent per annum from the date of the Claim Petition until the entire amount is realised.

23. The Civil Appeal Nos. 12087-12088 of 2026 are dismissed, and the Civil Appeal No. 12089 of 2026 filed by the Claimant is allowed in part as indicated above.

24. Pending Application(s), if any, shall stand disposed of accordingly. No order as to costs.

……………………………J.
[S.V.N. BHATTI]

……………………………J.
[N. V. ANJARIA]

New Delhi;
September 3, 2026.