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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **MAC.APP. 672/2025**

UNITED INDIA INSURANCE COMPANY LTD.Appellant

Through: Mr. Pradeep Gaur, Mr. Amit Gaur,
Ms. Sweta Sinha, Advocates.

versus

SANDHYA VERMA AND ORSRespondents

Through: Mr. Vidyant Veer, Advocate for R-
2.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **06.11.2025**

CM APPL. 65403/2025 (for exemption)

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

MAC.APP. 672/2025 & CM APPL. 65402/2025 (stay)

1. Issue notice to respondent Nos. 1 to 4 by all permissible modes, including through learned counsel appearing on their behalf before the Motor Accident Claims Tribunal [“the Tribunal”], in addition.
2. The appellant – United India Insurance Company Ltd., assails an award of the Tribunal dated 06.08.2025, whereby a sum of Rs. 69,61,860/-, alongwith interest at 9% per annum, was awarded in favour of respondents No.1 to 4 herein [claimants before the Tribunal].
3. The sole ground urged before this Court concerns the assessment of loss of future prospects at 30%. Mr. Pradeep Gaur, learned counsel for



the appellant, relies on paragraph 59.4 of the judgment delivered by the Constitution Bench of the Supreme Court in *National Insurance Co. Ltd. v. Pranay Sethi*, [(2017) 16 SCC 680], wherein it was held that, in the case of a deceased who was self-employed or on a fixed salary, and aged between 40 and 50 years, loss of future prospects should be quantified at 25%.

4. Mr. Gaur submits that, in the present case, the Tribunal found that the deceased was self-employed and 44 years of age at the time of the accident, but erroneously applied a rate of 30% for loss of future prospects. He contends that the excess award on this account amounts to approximately Rs. 5,00,000/-.

5. Subject to deposit of the entire decretal amount alongwith up-to-date interest within a period of six weeks from today, execution of the impugned award to the extent of Rs. 5,00,000/- shall remain stayed until the next date of hearing. The balance amount may be released to the claimants.

6. The Trial Court record be requisitioned, and electronic copy thereof be placed on the file of this appeal.

7. List on 25.03.2026.

PRATEEK JALAN, J

NOVEMBER 6, 2025

'Bhupi/sd'/'