

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 905 OF 2026
(Arising out of SLP (Civil) No.5847 of 2026
@ Diary No. 3408/2026)

RAJPATI DEVI ... Appellant

VERSUS

THE NEW INDIA ASSURANCE
COMPANY LTD & ANR. ... Respondent

ORDER

Heard the learned counsel appearing for the appellant.

2. Delay condoned
3. Leave granted.
4. For the view we are taking in the present appeal, in our opinion, notice may not be required to be issued to the respondents.
5. The Insurance Company has been held liable to pay compensation to the appellant on account of death of a child aged nine years. The accident took place on 22.12.1999. The Court of Motor Accident Claims Tribunal, Allahabad (XIV Additional District Judge, Allahabad) awarded a lump-sum compensation of ₹1,50,000/- along with the interest @ 7% p.a.

The High Court of Judicature at Allahabad increased the amount of compensation to ₹5,00,000/-, however, directed that the interest payable on the enhanced compensation shall be @ 4% p.a. and that too from the date of award of the Tribunal and not from the date of application.

6. In our opinion, the aforesaid direction by the High Court is contrary to the law laid down by this Court.

7. Accordingly, we modify the order of the High Court only to the extent that the appellant shall be entitled to interest at the same rate at which it was awarded by the Tribunal even on the enhanced amount of compensation and the same shall be payable from the date of filing of the application before the Tribunal and not from the date of award of the Tribunal. The amount of interest be paid within six weeks from the date of receipt of copy of the order.

8. The Civil Appeal is accordingly allowed.

9. For payment of amount to the claimant, the direction issued by this Court in ***Parminder Singh versus Honey Goyal and Others***¹ be kept in view.

10. In case the Insurance Company has any grievance against the order passed by this Court, it shall be at liberty to move appropriate application before this Court.

1 2025 INSC 361: (2025) 9 SCC 539

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

.....J.
(RAJESH BINDAL)

J.
(VIJAY BISHNOI)

NEW DELHI;
FEBRUARY 09, 2026.

ITEM NO.20

COURT NO.13

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 3408/2026

[Arising out of impugned final judgment and order dated 15-05-2025 in FAFO No. 2707/2003 passed by the High Court of Judicature at Allahabad]

RAJPATI DEVI

Petitioner(s)

VERSUS

THE NEW INDIA ASSURANCE COMPANY LTD & ANR.

Respondent(s)

(IA No. 34679/2026 - CONDONATION OF DELAY IN FILING, IA No. 34681/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 34680/2026 - EXEMPTION FROM FILING O.T.)

Date : 09-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE RAJESH BINDAL
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :Mr. Sharve Singh, Sr. Adv.
Ms. Sthavi Asthana, AOR

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E R

Delay condoned.

Leave granted.

The appeal is allowed in terms of the signed order.

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

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(AKSHAY KUMAR BHORIA)
COURT MASTER (NSH)

[Signed order is placed on the file]