

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 13357 OF 2025
(Arising out of SLP (C) No. 6226 of 2025)

**SHANTI BAI SAHU
& ORS.**

... APPELLANT(S)

VERSUS

AHMAD NIYAZI & ORS.

... RESPONDENT(S)

ORDER

| Time taken for disposal of the claim petition | Time taken for disposal of appeal by the High Court | Time taken for the disposal of the appeal in this Court |
|--|--|--|
| 4 years 7 months 25 days | 8 years 1 month 11 days | 9 months |

Leave granted.

2. It is the claimant-appellant(s) appeal laying challenge to the order dated 12.02.2024 passed by the High Court of Chhattisgarh, Bilaspur in MAC No.132 of 2016, modifying the award dated 30.10.2015 passed by the VII Additional Motor Accident Claims Authority, Raipur (Chhattisgarh) in Claim Case No.277/2011 titled ***Smt. Shanti Bai Sahu & Ors. v. Ahmed Niazi & Ors.***

3. Certain facts are not in dispute. On 30.04.2010, the deceased, namely Firangilal Verma, died in a motor vehicle accident, due to the rash and negligent driving of the offending vehicle bearing registration No.CG-10/A/2265. At the time of the accident, the deceased was drawing a salary of Rs.21,000/- per month being employed as a Committee Manager in the Chauranga Committee of the District Cooperative Central Bank, Branch-Simga. The factum of accident; negligence of the driver of the offending vehicle; and entitlement of compensation, are also not in dispute.

4. We are called upon to determine whether the High Court should have awarded interest while calculating the compensation amount, to which the claimant-appellant(s) were entitled to.

5. The legal representatives of the deceased preferred a claim petition under the Motor Vehicles Act, 1988, seeking compensation to the tune of Rs.27,30,000/-. The Tribunal, by its award, held that the Respondents herein (*Insurer; driver & owner of the offending vehicle*) are jointly and severally liable to pay the compensation amounting to Rs. 13,41,084/- along with interest of 6% per annum from the date of filing of the application, i.e., 23.02.2011. The Tribunal considered the carry home salary of the deceased to be Rs. 20,681/- per month.

6. Aggrieved thereof, the claimant-appellant(s) preferred an appeal before the High Court for enhancement of the compensation amount. The High Court *vide* the impugned order, enhanced the total compensation amount to Rs. 21,56,432/-. Relying upon the law laid down by this Court in ***National Insurance Company Ltd. v. Pranay Sethi***¹, the High Court also added future prospects at 15% whereupon the income of the deceased was increased to Rs. 23,783/- per month. The High Court also deducted 1/4th thereof towards personal and living expenses and awarded compensation towards conventional heads.

7. We have heard the learned counsel for the appellant(s) and the *amicus curiae*, Ms. Niharika Singh, who has ably assisted the Court in the present matter.

8. On the aspect of loss of income of the deceased, we are in agreement with the view taken by the High Court in awarding the enhanced compensation of Rs.21,56,432/-, in accordance with the law laid down in ***Pranay Sethi*** (supra), for there being no error therein.

9. In the present case, the approach adopted by the High Court, being silent upon the aspect of interest on the total enhanced compensation amount needs to be interfered with.

1 (2017) 16 SCC 680

There is no reason as to why interest should not be awarded or for the High Court to have expressly not clarified about the payment of interest. Therefore, we are of the view that the approach adopted by the Tribunal in awarding interest @ 6% per annum on the compensation amount is correct and since, no direction to the contrary can possibly be issued, the same remains undisturbed. Thus, compensation amount of Rs.21,56,432/- is to be paid along with interest @6% per annum, from the date of filing of the original claim petition i.e., 23.02.2011, to the Claimant-appellant(s).

10. The Civil Appeal is allowed in the aforesaid terms. The impugned Award dated 30.10.2015 passed by the VII Additional Motor Accidents Claims Authority, Raipur (Chhattisgarh), in Claim Case No.277/2011, as modified in terms of the impugned order 12.02.2024 passed by the High Court of Chhattisgarh, Bilaspur in MAC No.132 of 2016, stands modified accordingly.

11. The amount is to be directly remitted into the bank account of the claimant-appellant(s). The particulars of the bank account are to be immediately supplied by the learned counsel for the appellant(s) to the learned counsel for the respondent(s). The amount be remitted positively before 30th November. 2025.

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

.....J.
(SANJAY KAROL)

.....J
(NONGMEIKAPAM KOTISWAR SINGH)

New Delhi
6th October 2025