IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(ARISING OUT OF SLP (CIVIL) NO. 2939 OF 2026)

AMIR SUHAIL BHAT — APPELLANT(S)

VERSUS

NATIONAL INSURANCE COMPANY LTD. & ORS. — RESPONDENT(S)

O R D E R

1. Leave granted.

2. The appellant was injured in a motor accident on 07.04.2015 and suffered 40% permanent disability. By Award dated 12.12.2018, the Motor Accident Claims Tribunal, Shopian, awarded him compensation of Rs. 2,00,000/-. On an appeal by the insurance company, MA No. 27/2019, the High Court of Jammu & Kashmir and Ladakh at Srinagar passed its judgment dated 27.05.2022. By that judgment, it reduced the compensation to Rs. 1,20,000/-; reduced the rate of interest to 6% per annum; directed the appellant to repay any amount received in excess; and granted the insurance company the right to recover the awarded amount from the owner of the offending vehicle.

3. The appellant's review petition, RP No. 95/2022, was dismissed by the impugned order dated 19.02.2024. Though the appellant has assailed only the order dismissing his review petition, we deem it appropriate, in the peculiar facts and circumstances of the case and in order to do complete justice between the parties, to examine the judgment dated 27.05.2022 as well.

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Digitally signed by NITIN TALREJA
Date: 2026.11.26 16:34:22 IST
Reason:

4. The appeal is allowed. The impugned order dated 19.02.2024 is set aside. The judgment dated 27.05.2022 is also set aside insofar as it reduces the compensation and the rate of interest and directs the appellant to repay the excess amount. The Award dated 12.12.2018 passed by the Tribunal is restored to that extent.

5. Consequently, if compensation in terms of the Award has already been paid, no recovery shall be effected from the appellant. If any amount remains payable under the Award, the insurance company shall pay the same within four weeks.

6. The right granted to the insurance company by the High Court, in paragraph 13 of the judgment dated 27.05.2022, to recover the awarded amount from the owner of the offending vehicle is kept intact.

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

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(V. MOHANA)

NEW DELHI;
NOVEMBER 16, 2026.

ITEM NO.49 COURT NO.1 SECTION XI-B

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

Petition(s) for Special Leave to Appeal (C) No(s). 2939/2026

[Arising out of impugned judgment and order dated 19-02-2024 in RP No. 95/2022 in MA No.27/2019 passed by the High Court of Jammu & Kashmir and Ladakh at Srinagar]

AMIR SUHAIL BHAT **Petitioner(s)**

VERSUS

NATIONAL INSURANCE COMPANY LTD. & ORS. **Respondent(s)**

Date : 16-11-2026 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Dr. Arvind S. Avhad- 2111, AOR
Mr. Rishabh Singh, Adv.
Mr. Nitin Jain, Adv.

For Respondent(s) : Mr. Sanjeev Kumar Aggarwal, Adv.
Mr. Sunder Lal Gupta, Adv.
Mr. Rajesh Ranjan Prasad, Adv.
Mrs. Gunjan Sharma, Adv.
Mr. Hira Singh Rawat, Adv.
Mr. Sandeep Lamba, Adv.
Mr. Dharma Datta Verma, Adv.
Mr. Abhishek Krishna, Adv.
Mr. Bhupendra Singh, Adv.
Mr. Mohit Kumar Gupta, Adv.
Mr. Sanjeev Kumar- 2611, AOR

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

Pending application(s), if any, shall stand closed.

(NITIN TALREJA) **(PREETHI DILEEP KUMAR)**
ASTT. REGISTRAR-cum-PS **DY. REGISTRAR**
(Signed order is placed on the file)