

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(Arising out of SLP (Civil) No. 12408 of 2020)

PHOOL CHAND

APPELLANT(S)

VERSUS

THE ORIENTAL INDUSRANCE CO. LTD

RESPONDENT(S)

O R D E R

1. Leave granted.
2. Appellant was allowed compensation of Rs.1,89,500/- by the Motor Accident Claims Tribunal (for short 'MACT') with interest @ 6 per cent from the date of award.
3. The High Court has enhanced the amount of compensation by Rs. 70,000/- making the total compensation payable to the claimant at Rs. 2,59,500/-, however, interest from the date of application has been awarded only on the enhanced amount and not on the original compensation of Rs. 1,89,500/- granted by the MACT.
4. It is pointed out and not disputed by the respondent that the tribunal has not awarded any compensation on the head of future prospect which according to *National Insurance Company Ltd. vs. Pranay Sethi & Ors.*¹, ought to have been allowed at 40 per cent.
5. Considering that the law on the above aspect is

1. 2017 (16) SCC 680

settled in *Pranay Sethi* (Supra), we are of the considered view that appellant should have been allowed 40 per cent of the compensation on the head of loss of income, towards future prospect.

6. On addition of this amount of future prospect, the total compensation for loss of income would be around Rs. 2,52,000/-.

7. Thus, we allow the Appeal directing that the appellant is entitled for total amount of compensation at Rs.3,22,000/-, together with interest @ 6 per cent on the entire amount from the date of application, till its actual payment to the claimant.

8. Any amount already paid by the respondent to the claimant shall be adjusted while paying the remaining balance amount to the appellant-claimant. If the claimant supply the bank details with KYC to the insurance company, the balance amount of compensation shall be remitted directly to the bank account of the claimant.

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

.....J.
[PRASHANT KUMAR MISHRA]

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

NEW DELHI;
May 19, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CIVIL APPEAL NO. OF 2026
(Arising out of SLP (Civil) No. 12408 of 2020)

[Arising out of impugned final judgment and order dated 16-04-2019 in FAFO No. 403/2011 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

PHOOL CHAND

Petitioner(s)

VERSUS

THE ORIENTAL INDUSRANCE CO. LTD.

Respondent(s)

Date : 19-05-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) Mr. Santosh Kumar Pandey, AOR

For Respondent(s) Mr. Amit Kumar Singh, AOR
Ms. K Enatoli Sema, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.

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

1. Leave granted.
2. The Appeal is allowed in terms of the signed order placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(MINI)
COURT MASTER (SH)

(AKSHAY KUMAR BHORIA)
COURT MASTER (NSH)