IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. OF 2026

(Arising out of SLP (Civil) Nos. _____ of 2026)
@ Diary No. 20968 of 2026

H.P. PRASAD & ANR. APPELLANT(S)

VERSUS

THE NEW INDIA INSURANCE CO. LTD. & ANR. RESPONDENT(S)

O R D E R

1. Delay condoned.

2. Leave granted.

3. The present appeals arise out of the impugned judgment dated 12.03.2020 passed by the High Court of Karnataka at Bengaluru in M.F.A. No. 9119 of 2018 and M.F.A. No. 10479 of 2018.

4. The facts of the case reveal that an accident took place on 18.08.2017, in which the deceased, H.P. Nischita, aged 20 years, a brilliant third-year student of Bachelor of Engineering (Computer Science) at REVA University, Bengaluru,

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Reason:

unfortunately expired.

5. A claim petition was preferred by her parents before the Motor Accident Claims Tribunal, which awarded a compensation of Rs. 16,50,000/- along with interest at the rate of 9% per annum. Aggrieved thereby, cross-appeals were preferred by both the insurance company and the claimants before the High Court. The High Court enhanced the compensation by Rs. 6,48,000/- in addition to the amount awarded by the Tribunal, while reducing the rate of interest from 9% to 6% per annum.

6. Learned counsel appearing for the appellants-claimants has vehemently argued that the deceased was a bright third-year B.E. (Computer Science) student who had consistently secured first-division marks in her semesters, and therefore, her notional monthly income was erroneously assessed at a meager sum of Rs. 15,000/- per month without properly accounting for future prospects. It is further submitted that the High Court erred in reducing the rate of interest from 9% to 6% per annum without assigning any reason whatsoever.

7. On the other hand, learned counsel appearing for the respondent-Insurance Company has placed reliance upon the judgment of this Court in *"Smt. Meena Pawaia & Ors. vs. Ashraf Ali & Ors."* (Civil Appeal No. 6724 of 2021, decided on 18.11.2021) to contend that in comparable circumstances involving a B.E. student, notional income was assessed at Rs. 10,000/- per month, and thus no further enhancement is warranted.

8. This Court has carefully gone through the aforesaid judgment and the record of the present case. In *"Smt. Meena Pawaia"* (supra), the accident had occurred in the year 2012, whereas in the present case, the accident occurred on 18.08.2017. Moreover, each case has to be adjudicated in its own peculiar facts and circumstances.

9. Having heard learned counsel for the parties and upon perusal of the record, this Court is of the considered opinion that the courts below have failed to properly assess the notional monthly income and future prospects of a meritorious third-year engineering student. In exercise of powers

conferred under Article 142 of the Constitution of India, instead of undertaking separate calculations under various heads, this Court is of the opinion that the ends of justice would be subserved by enhancing the total lump-sum compensation to Rs. 30,00,000/- (Rupees Thirty Lakhs only).

10. Further, since the High Court has not assigned any cogent reason for reducing the rate of interest from 9% to 6% per annum, the impugned order to the extent it reduces the rate of interest is also set aside, and the claimants are held entitled to receive the entire enhanced compensation of Rs. 30,00,000/- along with interest at the rate of 9% per annum from the date of filing of the claim petition till realization.

11. The respondent-Insurance Company is directed to deposit the entire amount as directed by this Court, within a period of six weeks from today before the MACT.

12. The claimants shall furnish their bank account details to the MACT so as to enable direct electronic transfer of the compensation amount into

their bank account.

13. It is clarified that this order has been passed in the peculiar facts and circumstances of the present case.

14. With the aforesaid observations and modification, the appeals stand allowed.

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

……J.
[SATISH CHANDRA SHARMA]

……J.
[NONGMEIKAPAM KOTISWAR SINGH]

NEW DELHI;
19th November, 2026

ITEM NO.29 COURT NO.15 SECTION IV-A

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). 20968/2024

[Arising out of impugned final judgment and order dated 12-03-2020 in MFA No. 9119/2018 12-03-2020 in MFA No. 10479/2018 passed by the High Court of Karnataka at Bengaluru]

H.P. PRASAD & ANR. Petitioner(s)

VERSUS

THE NEW INDIA INSURANCE CO. LTD. & ANR. Respondent(s)

IA No.122470/2024-CONDONATION OF DELAY IN FILING
IA No. 122470/2024 - CONDONATION OF DELAY IN FILING

Date : 19-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :M/S. Devasa & Co.- 2413, AOR
Mr. Shekhar G Devasa, Sr. Adv.
Mr. Manish Tiwari, Adv.
Mrs. Thashmitha Muthanna, Adv.
Mr. Manoj K.p., Adv.
Mr. Shashi Bhushan Nagar, Adv.

For Respondent(s) :Mr. Anshum Jain, Adv.
Mr. Shiv Bhalla, Adv.
Mr. Rameshwar Prasad Goyal- 1350, AOR

Mr. Abhishek Yadav, Adv.
Ms. Komal Bharti, Adv.
Mr. Rahul Pandey, Adv.

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

1. Delay condoned.

2. Leave granted.

3. The appeals are allowed in terms of the signed order placed on the file.

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

(RAHUL KUMAR)
COURT MASTER (SH)

(KOMAL)
COURT MASTER (NSH)