

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS..... OF 2026  
(@Special Leave Petition (Civil) Nos.7028 of 2026)

BASAMMA

... APPELLANT(S)

VERSUS

RANGAPPA & ANR.

...RESPONDENT(S)

O R D E R

Time taken for disposal of the claim petitions by the MACT	Time taken for the disposal of appeals by the High Court	Time taken for the disposal of the appeals in this Court
2 years 7 months 19 day	1 months	4 months 5 days

Leave granted.

2. This appeal arises from the final judgment and order dated 21-07-2025 passed by the High Court of Karnataka, Dharwad Bench, in Miscellaneous First Appeal

No. 102911 of 2025 (MV-I), whereby the High Court enhanced the compensation awarded by the Motor Accident Claims Tribunal (MACT) but restricted the functional disability to 75%.

3. We have heard the learned counsel for the parties, and now we proceed to decide the matter.

4. It is undisputed that on 09.11.2020, at approximately 6:30 p.m., the appellant, a 32-year-old agricultural coolie, was proceeding home after her day's work. While she was near the Hansanur-Teggi main road, a car bearing registration No. KA-25/MA-8886, driven in a rash and negligent manner, dashed against her. The impact caused grievous crush injuries, leading to the amputation of her right lower limb.

5. The Motor Accident Claims Tribunal (MACT-VIII, Badami), in M.V.C. No. 360/2022, originally awarded a total compensation of Rs. 11,85,000/- with 6% interest, assessing functional disability at only 25%. The monthly income was accepted at Rs. 13,750/-.

6. On appeal, the High Court of Karnataka enhanced the compensation to Rs. 32,90,250/-, reassessing

functional disability at 75% based on the nature of the claimant's avocation as a coolie worker.

7. We have heard the learned counsel for the parties. The sum and substance of the challenge raised by the claimant-appellant is that her functional disability has been erroneously assessed on the lower side. She also challenges the compensation awarded under the conventional and non-pecuniary heads, contending that, despite the severity of the injuries sustained, the same has been assessed conservatively by the courts below.

8. The primary question before this Court is as to why the functional disability of a manual labourer, who suffered a limb amputation, be not assessed at 100%. We have consistently held, notably in *Raj Kumar v. Ajay Kumar*<sup>1</sup> and more recently in *Chandra Mogera v. Santosh A. Ganachari*<sup>2</sup>, that the assessment of compensation must reflect the actual impact on the earning capacity of the claimant. The appellant was an agricultural coolie, a vocation that is entirely dependent on physical

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<sup>1</sup> (2011) 1 SCC 343

<sup>2</sup> C.A. No. 12183/2025

mobility and the use of both lower limbs. As noted in the records, it is "virtually impossible" for a person engaged in such manual labor to resume their pre-accident occupation after the amputation of a leg. Even with a prosthetic limb, the appellant cannot perform the strenuous tasks required in agriculture. Therefore, following the principle that a medical disability of a specific limb can lead to 100% functional loss for specific avocations, we set aside the High Court's 75% assessment and treat the appellant's loss of earning capacity as 100%.

9. Further, in our opinion, the claimant-appellant is also entitled to compensation under the various conventional heads in terms of the law laid down by this Court in *Kajal v. Jagdish Chand*<sup>3</sup>, *Sidram v. Divisional Manager, United India Insurance Co. Ltd*<sup>4</sup>. and *K.S. Muralidhar v. R. Subbulakshmi and Another*<sup>5</sup>.

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<sup>3</sup> (2020) 4 SCC 413

<sup>4</sup> (2023) 3 SCC 439

<sup>5</sup> 2024 SCC Online SC 3385

10. As a result of the discussion above, the Final Compensation payable to the claimant-appellant in accordance with law is as follows:

<b>Compensation Heads</b>	<b>Amount Awarded</b>	<b>In Accordance with:</b>
<b>Monthly Income</b>	Rs.13,750/-	
<b>Yearly Income</b>	Rs. 1,65,000/-	
<b>Future Prospects (40%), age 32 years</b>	1,65,000/- + 66,000/- = Rs. 2,31,000/-	<b>National Insurance Co. Ltd. v. Pranay Sethi</b>  (2017) 16 SCC 680  <i>Para 42 &amp; 59.4</i>
<b>Multiplier (16)</b>	2,31,000/- x 16 = Rs. 36,96,000/-	
<b>Permanent Disability (100%)</b>	100% of 36,96,000/- = Rs.36,96,000/-	<b>Arvind Kumar Mishra v. New India Assurance Co. Ltd.,</b>  (2010) 10 SCC 254  <i>Para 13 and 14</i>
<b>Loss of Income/Future Earnings due to Disability</b>	Rs.36,96,000/-	
<b>Medical Expenses</b>	Rs. 1,78,000/-	<b>Kajal v. Jagdish Chand</b>  (2020) 4 SCC 413  <i>Para 19, 25 and 28</i>
<b>Attendant Charges</b>	Rs. 25000/-	
<b>Special Diet &amp; Transportation</b>	Rs.30,000/-	<b>Sidram v. Divisional Manager, United</b>

		<b>India Insurance Ltd.</b> <i>(2023) 3 SCC 439</i> <i>Para 89 and 111</i>
<b>Pain and Suffering</b>	Rs.1,00,000/-	<b>K.S. Muralidhar v. R. Subbulakshmi and Anr.</b> <i>2024 SCC Online SC 3385</i> <i>Para 13 and 14</i>
<b>Loss of Happiness &amp; Amenities</b>	Rs.1,00,000/-	<b>Raj Kumar v. Ajay Kumar</b> <i>(2011) 1 SCC 343</i> <i>Para 6</i>
<b>Loss of Income during treatment</b>	Rs. 41,250,-	
<b>Artificial Limb</b>	Rs.1,00,000/-	
<b>TOTAL</b>	<b>Rs. 42,70,250/-</b>	

Thus, the difference in compensation is as under:

<b>MACT</b>	<b>High Court</b>	<b>This Court</b>
Rs. 11,85,000/-	Rs. 32,90,250/-	Rs. 42,70,250/-

11. Thus, the total compensation is enhanced from the High Court's award of Rs. 32,90,250/- to Rs. 42,70,250/-.

12. The Civil Appeal is allowed in the aforesaid terms. The award dated 02.05.2025 in M.V.C No. 360 of 2022 passed by the Motor Accident Claims Tribunal (MACT)-

VIII, Badami, as modified by the High Court of Karnataka, Dharwad Bench, vide the impugned order dated 21.07.2025, passed in MFA No. 102911 of 2025 stands modified accordingly. Interest on the amount is payable as awarded by the Tribunal. The issue of liability remains untouched. So, the Insurance Company (i.e. United India Insurance) shall satisfy the award. The enhanced amount shall carry interest at 6% per annum, as awarded by the Tribunal, from the date of filing the claim petition until realization.

13. The amount be directly remitted into the bank account of the claimant-appellant. The particulars of the bank account are to be immediately supplied by the learned counsel for the appellant to the learned counsel for the respondent. The amount be remitted positively within a period of eight weeks thereafter. The period of delay in filing this appeal shall be excluded during the computation of interest.

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

.....J.  
(SANJAY KAROL)

.....J.  
(AUGUSTINE GEORGE MASIH)

New Delhi  
April 16, 2026