

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. _____ OF 2026
(Arising out of SLP(C) No.34888 of 2025)

DAYA BAI MAGHVANI & ORS.

APPELLANTS

A1 : DAYA BAI MAGHVANI

A2 : NARESH KUMAR MAGHVANI

A3 : KUMARI REETU MAGHVANI

A4 : KUMARI YASHIKA MAGHVANI

VERSUS

THE NEW INDIA ASSURANCE COMPANY LIMITED & ORS.

RESPONDENTS

R1 : THE NEW INDIA ASSURANCE COMPANY LIMITED

R2 : HARIOM BHARTI

R3 : INDERMANI MINERAL INDIA PVT. LTD.

O R D E R

Heard learned counsel for the petitioners and learned counsel for the respondent no.1-New Indian Assurance Company Limited.

2. Leave granted.

3. The present appeal arises out of the impugned judgment dated 21.08.2025 passed by the High Court of Chhattisgarh at Bilaspur in MAC No.808 of 2024 by which, the amount of compensation of

Rs.62,04,430/- (Rupees Sixty Two Lakhs Four Thousand Four Hundred Thirty) along with interest @9% per annum as awarded to the appellants/claimants by the Sixth Additional Motor Accident Claims Tribunal, Bilaspur, Chhattisgarh (for short, the "MACT") *vide* Award dated 08.01.2024 in Claim Case No.150 of 2022 on the ground of death of Rupesh Maghwani in a motor accident, has been reduced to Rs.44,80,474/- (Rupees Forty Four Lakhs Eighty Thousand Four Hundred Seventy Four) and the rate of interest has also been reduced from 9% per annum to 8% per annum.

4. Learned counsel for the appellants submitted that the order of the MACT did not require any reduction in the compensation awarded by it and the High Court has erred in doing the same. It is further submitted that the MACT had carefully gone into the evidence on record and in fact on certain issues has also taken a view against appellants, especially with regard to the income of the deceased. Moreover, it was submitted that the claimants had in fact a good case for enhancement of the amount rather than reducing the same substantially as has been done by the High Court.

5. Learned counsel for the respondent no.1-New India Assurance Company Limited submitted that the High Court has rightly accepted the contention of the Insurance Company with regard to the actual loss which the appellants had suffered and that the reduction made was correct, being based on relevant/sustainable grounds which did not require any interference by this Court.

6. We find that the above Award of the MACT is well considered and in matters like the present, the view taken by the MACT cannot be said to be unreasonable or perverse. Thus, the reduction in the

amount of compensation awarded by the MACT by the High Court appears to be not proper.

7. Accordingly, the appeal is partly allowed by restoring the amount of compensation as awarded by the MACT i.e., Rs.62,04,430/- (Rupees Sixty Two Lakhs Four Thousand Four Hundred Thirty). However, we feel that the rate of interest as awarded by the High Court of 8% per annum is reasonable.

8. In view of the above, let an amount of Rs.62,04,430/- (Rupees Sixty Two Lakhs Four Thousand Four Hundred Thirty) along with interest @8% per annum from the date of filing of the claim petition be paid to the appellants/claimants after adjusting whatever amount which may have been paid during the interregnum. The same be done within six weeks from today.

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

.....J.
[AHSANUDDIN AMANULLAH]

.....J.
[MANMOHAN]

NEW DELHI
SEPTEMBER 23, 2026

ITEM NO.51

COURT NO.9

SECTION IV-C

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).34888/2025

[Arising out of impugned final judgment and order dated 21-08-2025 in MAC No.808/2024 passed by the High Court of Chhattisgarh at Bilaspur]

DAYA BAI MAGHVANI & ORS.

Petitioner(s)

VERSUS

THE NEW INDIA ASSURANCE COMPANY LIMITED, & ORS.

Respondent(s)

(FOR ADMISSION)

(IA No. 310213/2025 - EXEMPTION FROM FILING O.T.)

Date : 23-09-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) Ms. Charita Singh, Adv.
Mr. Mohit Saroha, Adv.
Mr. Sivagnanam Karthikeyan, Adv.
Mr. Tushar Giri, AoR

For Respondent(s) Mr. Aditya Kumar, Adv.
Ms. Ila Nath, Adv.
Mr. Yash Kotak, AoR

O R D E R

Heard learned counsel for the petitioners and learned counsel for the respondent no.1-New Indian Assurance Company Limited.

2. Leave granted.
3. The appeal is partly allowed in terms of the signed order.
4. Pending application(s), if any, shall stand disposed of.

(SAPNA BISHT)

COURT MASTER (SH)

(Signed order is placed on the file)

(ANJALI PANWAR)

ASSISTANT REGISTRAR