

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS..... OF 2026
(@Special Leave Petition (Civil) Nos.12432 of 2026)

SHANKAR LAL KESHARI

... APPELLANT(S)

VERSUS

S K SAMANTA AND COOPERATIVE
LIMITED & ORS.

... 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
3 years,1 month, and 11 days.	1 year,3 months, and 11 days.	4 months and 21 days.

Leave granted.

2. The present appeal arises from the final judgment and order dated 02.09.2025 passed by the High Court of Madhya Pradesh at Jabalpur in Miscellaneous Appeal No.

4068 of 2024, which had partly enhanced the compensation awarded to the appellant for injuries sustained in a motor vehicle accident on 27.11.2020.

3. The brief facts are that on 27.11.2020, the appellant, then aged 28 years and working as a labourer, met with a motor vehicle accident involving a Hyva Truck (Registration No. MP66D0802). The appellant sustained grievous injuries to both legs, leading to the amputation of his right leg above the knee and the surgical insertion of a rod in his left leg. The medical board certified a 90% permanent disability; however, the appellant contends that as an uneducated labourer, he has suffered 100% functional disability as he is now incapable of performing any manual labor.

4. The proceedings originated before the IVth Additional Motor Accident Claims Tribunal (MACT), Singrauli (M.P.) in Claim Case No. 25/2021. Vide award dated 24.02.2024, the Tribunal partly allowed the claim, awarding a total compensation of Rs. 29,59,108/- with 7% interest. The Tribunal assessed the appellant's

monthly income at Rs. 12,000/- based on daily wages of Rs. 400/-, applied a multiplier of 16 (considering his age as 32 years), and calculated 90% permanent disability.

5. Aggrieved by the inadequate compensation and the lack of future prospects, the appellant preferred Miscellaneous Appeal No. 4068 of 2024 before the High Court of Madhya Pradesh at Jabalpur. The High Court, vide its order dated 02.09.2025, enhanced the total compensation to Rs. 47,09,108/-, representing an increase of Rs. 17,50,000/- over the Tribunal's award.

6. Regarding the assessment of income, we find that the Motor Accident Claims Tribunal and the High Court erroneously fixed the appellant's monthly income at Rs. 12,000/- based on a restrictive calculation of minimum daily wages at Rs. 400/-. However, a perusal of the record reveals that the appellant, in his deposition as PW-1, categorically stated he was earning Rs. 20,000/- per month. This testimony is substantially corroborated by Sh. Vinay Kumar Paul, the Deputy General Manager of Respondent No. 1 (the employer), who

admitted in his deposition that the appellant's fixed salary was approximately Rs. 15,000/- per month. Furthermore, the appellant provided a detailed breakdown of the remaining Rs. 5,000/- per month, which he earned through Overtime, Night Allowance, and a Special Allowance specifically designated for the hazardous nature of his work in coal mines. Considering these actual emoluments and the employer's own admissions, which were overlooked by the courts below, we find it just and proper to increase and fix the assessed monthly income at Rs. 20,000/-

7. Upon hearing the learned counsel for both parties and perusing the record, given the severity of the injuries, we find that the compensation further requires re-computation under conventional heads to meet the standard of "just compensation":

8. Based on the aforementioned findings, the final compensation is re-calculated as follows:

Compensation Heads	Amount Awarded	In Accordance with:
Monthly Income	Rs.20,000/-	
Yearly Income	Rs.3,60,000/-	
Future Prospects (40%), age 28 years	$3,60,000 + 1,44,000 \text{ (40\% of } 3,60,000)$ $= \text{Rs.}5,04,000/-$	National Insurance Co. Ltd. v. Pranay Sethi (2017) 16 SCC 680 <i>Para 42 & 59.4</i>
Multiplier (16)	$5,04,000 \times 16$ $= \text{Rs.}85,64,000/-$	
Permanent / Functional Disability (100%)	$100\% \text{ of } 80,64,000/-$ $= \text{Rs.}80,64,000/-$	Arvind Kumar Mishra v. New India Assurance Co. Ltd., (2010) 10 SCC 254 <i>Para 13 and 14</i>
Loss of Income/ Future Earnings due to Disability	Rs. 80,64,000/-	
Medical Expenses	Rs. 3,50,000/-	Kajal v. Jagdish Chand (2020) 4 SCC 413 <i>Para 19, 25 and 28</i>
Attendant Charges	Rs. 9,00,000/-	

Special Diet & Transportation	Rs. 1,00000/-	Sidram v. Divisional Manager, United India Insurance Ltd. (2023) 3 SCC 439 Para 89 and 111
Pain and Suffering	Rs. 5,00,000/-	K.S. Muralidhar v. R. Subbulakshmi and Anr. 2024 SCC Online SC 3385 Para 13 and 14
Prosthetic Limb Maintenance	Rs. 10,00000/-	
TOTAL	Rs. 1,09,14,000/-	

The difference in compensation is as under:

MACT	High Court	This Court
Rs. 29,59,108/-	Rs. 47,09,108	Rs. 1,09,14,000/-

9. The Civil Appeal is allowed in the aforesaid terms. The total amount of Rs.1,09,14,000/- (Rupees One Crore Nine Lakh Fourteen Thousand Only) shall carry interest at the rate of 7% per annum, as awarded by the Tribunal, from the date of filing the claim petition until realization. The issue of liability remains untouched, and as a result the observations of the Courts below regarding joint and several liability remain as they are.

10. The amount be directly remitted into the bank account of the claimant. 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, if any, in filing this appeal shall be excluded during the computation of interest.

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

.....J.
(SANJAY KAROL)

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

New Delhi
August 07, 2026