IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
[arising out of SLP (C) No 11692/2024]

CHANDRA MOHAN LINGAM **Appellant(s)**

VERSUS

SUDHA & ANR. **Respondent(s)**

O R D E R

1. Leave granted.

2. The present appeal is arising out of order dated 28.11.2023 passed by the High Court of Karnataka at Dharwad Bench in MFA No. 101433/2020.

3. The facts of the case reveal that an accident took place on 17.06.2015 around 07:45 pm and the appellant before this court suffered serious injuries.

4. At the time of accident, he was aged about 50 years and working as Architect. A Claim Petition was preferred and the Motor Accidents Claims Tribunal (MACT) granted compensation for a total sum of Rs. 7,65,600/- (Rs. Seven Lakh Sixty Five Thousand and Six Hundred only). The appellant who is an Architect preferred an appeal before the High court stating that he has lost his one eye, he is 60% disabled and being an Architect now he cannot work on site and therefore, the amount be enhanced.

Signature Not Verified
Digitally Signed by
KANCHAN CHOUHAN
Date: 2026.01.16
16:27:21 IST
Reason:

5. The High Court enhanced the amount after hearing parties at length, totaling to Rs. 15,28,002/- (Rs. Fifteen Lakh Twenty Eight thousand and Two only). The amount of compensation has been received by the appellant.

5. Learned counsel for the appellant vehemently argued before this Court that an Architect who has lost his eye and who has 60% physical disability, is not in a position to work properly. He is not able to attend construction sites and therefore, under the head "Loss of earning capacity", the amount granted by the High Court and the MACT is too meager. He has also stated that that his income was not taken into account rightly though ITRs are placed on record and he has claimed further enhancement under various heads.

6. On the other hand learned counsel for the Insurance Company vehemently opposed the prayer for enhancement of compensation. He has argued before this Court that loss of eye was not on account of accident but in fact the appellant was suffering from diabetes and on account of diabetes, he lost his eye. Though he has not disputed the 60% disability in the lower limb. He has stated that the MACT has rightly awarded the compensation which was right enhanced by the High Court and the scope for further enhancement does not arise.

7. This court has carefully gone through the disability certificate, the ITRs and the amount under various heads by the High Court. The High Court has awarded Rs. 9,25,002/- to the petitioner under head of "Loss of earning capacity". Only Rs. 50,000/- has been awarded for the further amenities of life.

8. In the considered opinion of this Court, the interest of justice would be served by enhancing the compensation in exercise of powers conferred under Article 142 of the Constitution of India further by a sum of Rs. 10,00,000/- (Rs. Ten Lakh only).

9. The amount shall be paid by the Insurance Company within a

period of six weeks from today failing which it will carry interest @ 9% per annum.

10. Learned counsel for the appellant shall furnish details of the account within a period of one week to learned counsel for the Insurance Company enabling him to transmit the amount directly in the account of the petitioner.

11. With the aforesaid, the Civil Appeal is allowed.

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

……. J.
(SATISH CHANDRA SHARMA)

……. J.
(NONGMEIKAPAM KOTISWAR SINGH)

New Delhi,
5th November, 2026

ITEM NO.43 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

Petition(s) for Special Leave to Appeal (C) No(s). 11692/2024

[Arising out of impugned final judgment and order dated 28-11-2023 in MFA No. 101433/2020 passed by the High Court of Karnataka Circuit Bench at Dharwad]

CHANDRA MOHAN LINGAM Petitioner(s)

VERSUS

SUDHA & ANR. Respondent(s)

IA No. 108711/2024 - EXEMPTION FROM FILING O.T.
IA No. 20898/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 05-11-2026 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) : Mr. Ankolekar Gurudatta, AOR

For Respondent(s) : Mr. Vishal Meghwal, AOR

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

1. Leave granted.

2. The Civil Appeal is allowed, in terms of the signed order.

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

(KANCHAN CHOUHAN) (KOMAL)
SENIOR PERSONAL ASSISTANT COURT MASTER (NSH)
[Signed Order is placed on the file.]