

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. 13583 OF 2026
(@ SPECIAL LEAVE PETITION (CIVIL) NO. 29490/2025)

V.K.PRADEEP KUMAR @ PRADEEP

APPELLANT(S)

VERSUS

THE ORIENTAL INSURANCE COMPANY LTD

RESPONDENT(S)

O R D E R

Heard learned counsel for the parties.

2. Leave granted.

3. The present appeal arises out of an order dated 19.07.2024 passed by the High Court of Kerala at Ernakulam in MACA No.3050 of 2015, assailing the order dated 23.05.2015 passed by the Additional District and Additional MACT Judge IV, Pathanamthitta (MACT), by which a compensation of Rs.39,91,356/- (Rupees Thirty Nine Lakhs Ninety One Thousand Three Hundred and Fifty Six) with 9% interest per annum awarded by the MACT, has been reduced to Rs.31,99,436/- (Rupees Thirty One

Lakhs Ninety Nine Thousand Four Hundred and Thirty Six) while maintaining the rate of interest.

4. Learned counsel for the appellant submits that the appellant at the time of the accident was aged 21 years and was a vegetable vendor. It was submitted that the admitted position is that he is half paralyzed and the entire right side including the hand and he is blind in the right eye. It was contended that the same has also resulted in loss of marriage prospects, which for all practical purposes seems to have been foreclosed and the amount awarded is only Rs.1,00,000/- (Rupees One Lakh) under that head. Learned counsel contended that the functional disability taken by the MACT as 95% has been reduced to 80%, whereas it should have been 100%, as the entire right side is paralyzed. It was further contended that the amount of loss of income as computed by the MACT was just and proper and ought not to have been reduced in the manner it has been done by the High Court and future prospects being reduced from 50% to 40% also needs interference. It was his contention that for future treatment when clearly the appellant has many years left of his life, an amount of Rs.1,50,000/- (Rupees One Lakh and Fifty Thousand) is totally

inadequate.

5. Learned counsel for the respondent-Insurance Company submits that the High Court has factored all relevant aspects while passing the order. It was submitted that with regard to loss of income, besides taking a multiplier of 18, which is just and proper, an additional amount of loss of wages for 48 months has also been computed by the MACT, which the High Court has rightly held to be double load on the Insurance Company and thus, the same may not require interference.

6. Having considered the matter, we find that many heads require enhancement, and may be on some heads the order of the High Court reducing the amount as has been granted by the MACT, may have some justification. However, on an overall analysis, we find that the ends of justice would be served by not getting into the details of the computation restoring the amount awarded by the MACT would be fair and just in the facts and circumstances of the present case.

7. Accordingly, for the reasons aforesaid, the appeal is allowed. The order impugned passed by the High Court is set aside and the order dated 23.05.2015 passed by

the MACT stands restored.

8. Payment in terms of the order of the MACT be made to the appellant after adjusting the amount already been paid to him, within six weeks from today.

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

.....J.
(AHSANUDDIN AMANULLAH)

.....J.
(MANMOHAN)

NEW DELHI
OCTOBER 09, 2026

ITEM NO.59

COURT NO.9

SECTION XI-B

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 29490/2025

[Arising out of impugned final judgment and order dated 19-07-2024 in MACA No.3050/2015 passed by the High Court of Kerala at Ernakulam]

V.K.PRADEEP KUMAR @ PRADEEP

PETITIONER(S)

VERSUS

THE ORIENTAL INSURANCE COMPANY LTD

RESPONDENT(S)

Date : 09-10-2026 This petition was called for hearing today.

CORAM :

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

For Petitioner(s) :Mr. Shinoj K Narayananan, Adv.
Mr. Aditya Verma, Adv.
Mr. Nishad L.S., AoR

For Respondent(s) :Mr. Nitin Saluja, AoR
Mr. Harsh Gattani, Adv.
Mr. Sakshit Bhardwaj, Adv.
Ms. Pranya Madan, Adv.
Ms. Shivani Mehta, Adv.

O R D E R

Leave granted.

**2. The appeal is allowed in terms of the signed order,
which is placed on the file.**

(POOJA SHARMA)
AR-CUM-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR