

**Non-Reportable**

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

**Civil Appeal Nos..... of 2026**

**[ @ Special Leave Petition (C) Nos..... of 2026 ]**

**[ @ Diary No.38259 of 2024 ]**

**Shoba and Anr.**

**...Appellants**

**Versus**

**The Oriental Insurance  
Company Ltd. and Ors.**

**...Respondents**

**ORDER**

Leave granted.

2. A tractor trailer carrying fodder and a coolie in addition to the driver turned turtle and the coolie died in the accident. The appellants are the wife and the son of the deceased and respondent No.3 was his mother. The Tribunal granted a total compensation of Rs.23,68,000/- and apportioned it between the appellants and the respondent No.3 as tabulated in the order. Appeals were filed by the insurer and the claimants before the High Court; the insurer contesting the liability and the claimants

seeking enhancement. The High Court found the quantum of compensation awarded to be perfect and rejected the contentions of the insurer against their liability. However, the interest granted by the Tribunal @ 9% was reduced to 6%.

3. The argument of the appellant before us are three fold; i) with respect to income adopted being inadequate; ii) the reduction of interest being improper and iii) no medical expenses having been awarded. It is pointed out that the accident occurred on 26.05.2017, after which the injured, who was hospitalized succumbed to his injuries on 07.06.2017 while he was still under inpatient treatment.

4. The learned Counsel for the Insurance Company, however, pointed out that the income of Rs.11,000/- adopted is perfectly in order. There is no document produced to prove medical expenses, and the grant of interest @ 6% was just in the prevailing bank rates.

5. We do not find any reason to increase the quantum of the income adopted by the Tribunal and affirmed by the High Court; especially since there was no evidence produced to substantiate the income claimed of

Rs.60,000/- . A salary certificate produced was not proved through the person who issued it. The accident having occurred in 2017 the adoption of Rs.11,000/- as income for a labourer is perfectly in order.

**6.** Insofar as the interest is concerned though 9% is on the higher side, the interest rate of Fixed Deposits in Banks are at 7.5%, which can be adopted in the present case. As far as medical expenses are concerned, though there is nothing produced, admittedly the accident occurred on 26.05.2017 and the injured succumbed to the injuries on 07.06.2017.

**7.** In the above circumstances, it is only just and proper that an amount of Rs.25,000/- be granted as medical expenses. The award shall be enhanced with Rs.25,000/- as medical expenses which is to be paid to the wife; the first appellant and the entire award amount shall carry 7.5% interest from the date of filing.

**8.** The balance shall be satisfied within a period of two months from the date of this order after deducting the amounts already paid.

**9.** The appeals are allowed in the aforestated terms.

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

..... J.  
(N. KOTISWAR SINGH)

..... J.  
(K. VINOD CHANDRAN)

**NEW DELHI**  
**JULY 08, 2026.**