IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(ARISING OUT OF SLP (CIVIL) NO. 25018 OF 2025)

MUKHI DEVI **APPELLANT(S)**

VERSUS

HARDAYAL SINGH & ORS. **RESPONDENT(S)**

O R D E R

1. Leave granted.

2. This appeal, at the claimant's instance, arises from the judgment dated 08.11.2024 ("impugned judgment") of the High Court of Judicature for Rajasthan at Jodhpur ("High Court") in S.B. Civil Misc. Appeal No. 587 of 2016. In that judgment, the High Court partly allowed the Appellant's appeal and enhanced the compensation awarded by the Motor Accident Claims Tribunal (Labour Court), Sri Ganganagar ("Tribunal"), vide award dated 08.01.2016 ("Award") in MAC Case No. 34 of 2010, from Rs. 2,50,000/- to Rs. 4,67,000/-. The Appellant seeks further enhancement of the compensation.

3. Briefly stated, on 06.02.2009, at about 7:30 p.m., a jeep bearing Registration No. RJ-13-C-4088, in which the Appellant's son, Puran Bhagat alias Purna Ram, was travelling with others to Ramdeora, collided with a truck-trailer bearing Registration No. PB-05L-9688 ("offending vehicle"), which had been parked in the middle of the road about two kilometres beyond Village Nokhada without any indicator or warning light. The Appellant's son, then 12 years old and a student of the 6th standard, died on the spot,

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Date: Wed Dec 17 16:34:22 IST
Reason:

along with three other occupants of the jeep. The offending vehicle was insured with Respondent No. 3, The New India Assurance Co. Ltd. ("Insurer").

4. The Appellant, the sole claimant, claimed compensation of Rs. 39,50,000/-. The Tribunal awarded Rs. 2,50,000/-, over and above the interim compensation of Rs. 50,000/- already paid, including Rs. 75,000/- under the conventional heads, with interest at 9% per annum from the date of filing of the claim petition. The liability was fastened jointly and severally on the driver, the owner and the Insurer of the offending vehicle.

5. In the Appellant's appeal, the High Court took the notional income of the deceased child at Rs. 30,000/- per annum, applied a multiplier of 15 and awarded Rs. 67,000/- under the conventional heads. After adjusting the interim compensation, the compensation was assessed at Rs. 4,67,000/-, i.e., an enhancement of Rs. 2,17,000/-, with interest at 9% per annum from the date of filing of the claim petition. The Insurer's appeal against the Award was dismissed.

6. We have heard learned counsel for the parties and perused the record.

7. The Appellant is a widow who lost her 12-year-old son, a school student, in the accident. Keeping in view the age of the deceased, the loss suffered by the Appellant as his mother and the lapse of more than seventeen years since the accident, we are of the view that the compensation awarded by the High Court does not constitute "just compensation".

8. We, therefore, deem it just and proper to enhance the compensation by a further sum of Rs. 12,00,000/- (Rupees Twelve Lakhs only), over and above the compensation awarded by the High Court.

9. The Insurer shall pay the said amount to the Appellant within six weeks from today. The amount shall be remitted directly into the bank account of the Appellant, the particulars of which shall be furnished by her learned counsel to learned counsel for the Insurer.

10. The appeal is allowed in the above terms. The Award, as modified by the impugned judgment, stands further modified accordingly. There shall be no order as to costs.

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

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(V. MOHANA)

NEW DELHI;
NOVEMBER 16, 2026.

ITEM NO.50 COURT NO.1 SECTION XV

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). 25018/2025

[Arising out of impugned judgment and order dated 08-11-2024 in SBCMA No. 587/2016 passed by the High Court of Judicature for Rajasthan at Jodhpur]

MUKHI DEVI **Petitioner(s)**

VERSUS

HARDAYAL SINGH & ORS. **Respondent(s)**

(IA No. 207482/2025 - EXEMPTION FROM FILING O.T.)

Date : 16-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MRS. JUSTICE V. MOHANA

For Petitioner(s) :Mr. Mrinmay Bhattmewara, Adv.
Mrs. Samprati Bhattmewara, Adv.
Mr. Amit Singh, Adv.
Mr. Rajvir Singh Bhati, Adv.
Mr. Lokesh Dutt Sharma, Adv.
Mr. Vivek Gupta- 1625, AOR

For Respondent(s) : Mr. Sanjeev Kumar Aggarwal, Adv.
Mr. Sunder Lal Gupta, Adv.
Mr. Rajesh Ranjan Prasad, Adv.
Mrs. Gunjan Sharma, Adv.
Mr. Hira Singh Rawat, Adv.
Mr. Sandeep Lamba, Adv.
Mr. Dharma Datta Verma, Adv.
Mr. Abhishek Krishna, Adv.
Mr. Bhupendra Singh, Adv.
Mr. Mohit Kumar Gupta, Adv.
Mr. Sanjeev Kumar- 2611, AOR

Mr. Ambhoj Kumar Sinha- 1236, AOR
Ms. Neeti Bhardwaj, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

The appeal is allowed in terms of the signed order.

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

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)
DY. REGISTRAR

(Signed order is placed on the file)