

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO. 13105 OF 2026
(@ SPECIAL LEAVE PETITION (CIVIL) NO.33281/2025)

MELVIN BENNYACHAN

APPELLANT(S)

VERSUS

THE ORIENTAL INSURANCE COMPANY LTD.

RESPONDENT(S)

O R D E R

Heard Mr. Sugam Agrawal, learned counsel for the petitioner and Mr. Amit Kumar Singh, learned counsel for the respondent-Insurance Company.

2. Leave granted.

3. The appellant is aggrieved by the quantum of compensation awarded by the High Court, though the same has been enhanced as compared to the Motor Accident Claims Tribunal, Muvattupuzha, which had awarded Rs.14,85,985/- (Rupees Fourteen Lakhs Eighty Five Thousand Nine Hundred and Eighty Five) with 9% interest per annum, whereas the High Court has enhanced it to Rs.29,72,770/- (Rupees Twenty Nine Lakhs Seventy Two Thousand Seven Hundred and Seventy) while reducing the interest to 8% per annum.

4. Learned counsel for the appellant submitted that on

account of the accident, the appellant had to undergo amputation of his right leg below knee and thus, he was permanently disabled from carrying out his profession as he was an Electrician. It was further submitted that for leading a normal life, he has to use a prosthetic limb, which is expensive and a reasonable estimation of the cost which may be incurred is Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand) for the prosthetic limb and at least Rs.15,000/- (Rupees Fifteen Thousand) per annum for its maintenance. It was submitted that in a similar situation, a Coordinate Bench of this Court in Civil Appeal No.4642 of 2026, titled "*Prahlad Sahai vs. Haryana Roadways and Another*" vide judgment dated 21.04.2026, where the victim had suffered amputation and was 32 years of age, had awarded the cost of prosthetic @ Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand) per prosthetic limb every five years till the age of 70 years and additional maintenance of Rs.15,000/- (Rupees Fifteen Thousand) per annum.

5. Learned counsel for the respondent-Insurance Company submitted that the amount of compensation is quite reasonable. However, he could not contest with regard to the amount which the Coordinate Bench had awarded under similar circumstances, specifically with regard to the cost of prosthetic limb and maintenance thereof.

6. Having considered the matter, we find no reason to take a different view from the one taken by the Coordinate Bench

in the case of *Prahlad Sahai* (supra).

7. Accordingly, the appeal is allowed by quantifying and awarding a further compensation of Rs.25,00,000/- (Rupees Twenty Five Lakhs) lump sum, which would be in addition to the compensation awarded by the High Court under the order impugned. The same be paid to the appellant after adjusting the amount already paid, within eight weeks from today. We clarify that the lump sum amount of Rs.25,00,000/- (Rupees Twenty Five Lakhs) awarded under this order shall not carry any interest.

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

.....J.
(AHSANUDDIN AMANULLAH)

.....J.
(MANMOHAN)

NEW DELHI
SEPTEMBER 23, 2026

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

PETITION FOR SPECIAL LEAVE TO APPEAL (C) NO. 33281/2025

[Arising out of impugned final judgment and order dated 06-03-2025 in MACA No.4079/2016 passed by the High Court of Kerala at Ernakulam]

MELVIN BENNYACHAN

PETITIONER(S)

VERSUS

THE ORIENTAL INSURANCE COMPANY LTD.

RESPONDENT(S)

IA No. 281504/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/
ANNEXURES

Date : 23-09-2026 This matter was called for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :Mr. Sugam Agrawal, Adv.
Mr. A. Karthik, AoR
Mr. A. N. Santhosh, Adv.
Ms. Smrithi Suresh, Adv.
Ms. Sreepriya K, Adv.
Mr. Togin M. Babichen, Adv.

For Respondent(s) :Mr. Amit Kumar Singh, AoR
Ms. K Enatoli Sema, Adv.
Ms. Chubalemla Chang, Adv.
Mr. Prang Newmai, Adv.
Ms. Rokosieno Meyase, 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)

(ANJALI PANWAR)

AR-CUM-PS

ASSISTANT REGISTRAR