IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(ARISING OUT OF SLP (CIVIL) NO. 3394 OF 2026)

SONICA SHUKLA & ORS. **APPELLANT(S)**

VERSUS

THE NATIONAL INSURANCE CO. LTD & ANR. **RESPONDENT(S)**

O R D E R

1. Leave granted.

2. This appeal, at the instance of the claimants, arises from the judgment dated 24.08.2023 ("impugned judgment") of the High Court of Judicature at Allahabad ("High Court") in First Appeal From Order No. 269 of 2009. In that judgment, the High Court partly allowed the Appellants' appeal and enhanced the compensation awarded by the Motor Accident Claims Tribunal, Kanpur Dehat ("Tribunal"), vide award dated 29.09.2008 ("Award"), in Motor Accident Claim Petition No. 126 of 2007, from Rs. 4,17,500/- to Rs. 7,75,600/-. The Appellants seek further enhancement of the compensation.

3. Briefly stated, the Appellants are the widow (Appellant No. 1), the two children (Appellant Nos. 2 and 3) and the mother (Appellant No. 4) of Sri Avinash Shukla, who died in a motor vehicle accident on 27.01.2007. He was about 34 years old and ran a photocopy and electronics shop. On that day, while he was returning

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Date: 2026.11.26 16:34:21 IST
Reason:

home on his motorcycle, an Eicher D.C.M. truck ("offending vehicle") collided with him near Riti Kirti Rice Mill, P.S. Bhognipur, Kanpur Dehat. He was taken to L.L.R. Hospital, Kanpur, where he succumbed to his injuries the same day. The offending vehicle was insured with Respondent No. 1, The National Insurance Co. Ltd. ("Insurer").

4. The Appellants claimed compensation of Rs. 30,55,000/-. The Tribunal assessed the income of the deceased at Rs. 3,000/- per month, deducted one-third towards personal expenses and, applying a multiplier of 17, computed the loss of dependency at Rs. 4,08,000/-. It further awarded Rs. 9,500/- under the conventional heads, i.e., a total of Rs. 4,17,500/-, with interest at 6% per annum from the date of the Award. Nothing was awarded towards future prospects.

5. In the Appellants' appeal, the High Court took the income of the deceased at Rs. 3,500/- per month, added 40% towards future prospects, deducted one-fourth towards personal expenses in view of the four dependants, applied a multiplier of 16 and enhanced the amount under the conventional heads to Rs. 70,000/-. The compensation was thus assessed at Rs. 7,75,600/-, with simple interest at 6% per annum from the date of institution of the claim petition till payment.

6. We have heard learned counsel for the parties and perused the record. It is contended on behalf of the Appellants that the income

of the deceased was considerably higher than that assessed, and that no separate compensation towards consortium was awarded to each of the dependants.

7. The deceased was a young man of about 34 years running his own business, and four persons, including his two children, who were then minors, and his mother, were dependent on him. In these circumstances, the assessment of his income at Rs. 3,500/- per month for want of documentary proof, and the award of a consolidated sum of Rs. 70,000/- under the conventional heads, do not adequately reflect the loss suffered by the Appellants.

8. Keeping in view the age of the deceased, the number of his dependants and the nature of his occupation, we deem it just and proper to enhance the total compensation to Rs. 12,00,000/- (Rupees Twelve Lakhs only), in place of Rs. 7,75,600/- awarded by the High Court.

9. We are informed that the amount awarded by the High Court has already been released. The Insurer shall, therefore, pay the balance amount of Rs. 4,24,400/- (Rupees Four Lakhs Twenty-Four Thousand Four Hundred only) to the Appellants within six weeks from today. The amount shall be remitted directly into the bank accounts of the Appellants, the particulars of which shall be furnished by their 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.47 COURT NO.1 SECTION XI

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). 3394/2026

[Arising out of impugned judgment and order dated 24-08-2023 in FAFO No. 269/2009 passed by the High Court of Judicature at Allahabad]

SONICA SHUKLA & ORS. Petitioner(s)

VERSUS

THE NATIONAL INSURANCE CO. LTD & ANR. Respondent(s)

(IA No. 3721/2026 - 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. Prateek Kumar- 3140, AOR
Mr. Kartikey Singh, Adv.
Mr. Devansh Rai, Adv.
Ms. Teesha, Adv.

For Respondent(s) :Mr. Sanathana Bhaarath, AOR
Mr. S L Gupta, 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) (PREETHI DILEEP KUMAR)
ASTT. REGISTRAR-cum-PS DY. REGISTRAR

(Signed order is placed on the file)