IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. OF 2026
(ARISING OUT OF SLP (CIVIL) NO. 20986 OF 2024)

VIRENDER SINGH **APPELLANT(S)**

VERSUS

THE ORIENTAL INSURANCE CO. LTD. & ORS. **RESPONDENT(S)**

O R D E R

1. **Leave granted.**

2. **This appeal, at the instance of the injured claimant, arises from the judgment dated 20.09.2023 ("impugned judgment") of the High Court of Judicature at Allahabad ("High Court") in First Appeal From Order No. 1300 of 2001. In that judgment, the High Court partly allowed the Appellant's appeal and enhanced the compensation awarded by the Additional Motor Accident Claims Tribunal, Etah ("Tribunal"), *vide* award dated 30.03.2001 ("Award"), in Motor Accident Claim Petition No. 265 of 1994. The Appellant seeks further enhancement of the compensation.**

3. **Briefly stated, on 26.10.1994, the Appellant, then about 25 years old and working as a mason, was riding pillion on a scooter when a truck struck the scooter from behind. He fell onto the road, and the truck ran over his arms. His right arm was amputated at the shoulder, and his left arm suffered crush injuries below the elbow, leaving it permanently disabled. He also sustained head injuries. He had a wife and three minor children at the time.**

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Date: 2026.11.26 16:34:21 IST
Reason:

4. **The Appellant claimed compensation of Rs. 8,25,000/- with interest. The Tribunal held the truck driver solely responsible for**

the accident and fastened the liability on Respondent No. 1, The Oriental Insurance Co. Ltd. ("Insurer"), the insurer of the truck. Assessing the Appellant's income at Rs. 2,000/- per month and his disability at 90%, and applying a multiplier of 17, it awarded Rs. 3,67,200/- towards loss of earning capacity. It further awarded Rs. 91,200/- towards medical expenses and Rs. 50,000/- towards pain and suffering, i.e., a total of Rs. 5,08,400/-, with interest at 9% per annum from 09.02.1999.

5. **In the Appellant's appeal, the High Court granted 40% towards future prospects, applied a multiplier of 18 in place of 17, and awarded Rs. 50,000/- towards medical expenses, Rs. 30,000/- towards an attendant and Rs. 70,000/- towards pain and suffering. The enhanced amount was to carry 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 Appellant and the Insurer and perused the record. Respondent No. 4, National Insurance Co. Ltd., the insurer of the scooter, is a *proforma* respondent against whom no relief is claimed.**

7. **While we see no reason to interfere with the assessment of income, the compensation awarded under the non-pecuniary heads and towards future care does not, in our view, constitute "just compensation". At about 25 years of age, the Appellant lost one arm entirely, while the other was rendered virtually unproductive, leaving him dependent on others for the rest of his life. Nothing has been awarded towards loss of amenities and enjoyment of life, and the amounts awarded towards pain and suffering and attendant**

loss are inadequate. The Appellant has also waited over three decades for this litigation to conclude.

8. **We, therefore, deem it just and proper to enhance the compensation by a further sum of Rs. 5,00,000/- (Rupees Five Lakhs only), over and above the compensation awarded by the High Court.**

9. **The Insurer shall pay the said amount to the Appellant within eight weeks from today. The amount shall be remitted directly into the bank account of the Appellant, the particulars of which shall be furnished by his 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.46 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). 20986/2024

[Arising out of impugned judgment and order dated 20-09-2023 in FAFO No. 1300/2001 passed by the High Court of Judicature at Allahabad]

VIRENDER SINGH **Petitioner(s)**

VERSUS

THE ORIENTAL INSURANCE CO. LTD. & ORS. **Respondent(s)**

Date : 16-11-2026 This petition 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. Lokesh Kumar Choudhary, AOR
Mr. Ajay Kumar Rai, Adv.
Mr. Shubham Singh, Adv.
Mr. Vivek Kumar, Adv.
Mr. Prabhat Chowdhary, Adv.
Mr. Dinesh Kumar Yadav, Adv.
Mrs. Ankur Gulyani Panda, Adv.

For Respondent(s) :Mr. Dhurva Shankar Mishra- 4192, AOR

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

UPON hearing the counsel the Court made the following

O R D E R

1. Leave granted.

2. The appeal is allowed in terms of the signed order.

3. 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)