

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO..... OF 2026
(@ Special Leave Petition (Civil) No.38433 of 2025)

KASHI BHUMIA & ORS

... APPELLANT(S)

VERSUS

IFFCO TOKIO GENERAL
INSURANCE CO. & ORS

... RESPONDENT(S)

O R D E R

Time taken for disposal of the claim petition by the MACT	Time taken for disposal of appeal by the High Court	Time taken for the disposal of the appeal in this Court
1 year 29 days	9 months 29 days	2 months 16 days

1. Leave granted.

2. This appeal arises from the judgment of the High Court of Madhya Pradesh at Jabalpur dated 21.02.2024, which reduced the compensation as

awarded by the Motor Accident Claims Tribunal (MACT), Katni.

3. We have heard the learned counsel for the parties, and now we proceed to decide the matter.

4. It is not disputed that on 15.11.2021, deceased, Shibbu alias Shimbhu Bhumiya, was hit with a vehicle driven by Respondent No. 1 (Before the Tribunal) in a rash and negligent manner, resulting into his death on 18.11.2021. In connection with the above accident, an FIR was registered. The involvement of the offending vehicle; its valid insurance coverage; the driver's negligence; as well as the injuries sustained by the victim and his subsequent death, stand fully established. The claimants (the deceased's legal heirs) succeeded in their claim petition before the Tribunal and were awarded Rs.50,47,000/- as compensation, with the deceased's monthly income assessed at Rs.24,000/-.

5. The High Court, in an appeal preferred by the insurance company, interfered with the award passed by the Tribunal and reduced the compensation

to a total of Rs. 19,83,080/- on the ground that the income and occupation of the deceased were not proven and re-fixed the monthly income of the deceased to the tune of Rs.8,800/- as against the assessment of Rs.24,000/- by the Tribunal.

6. Regarding the computation of the deceased's income, the claimant-appellants asserted that based on the testimony of the wife and the employer of the deceased, the income was asserted at Rs. 24,000/- per month. The employer also testified the deceased to be working as a J.C.B. machine operator. The Motor Accident Claims Tribunal accepted the monthly income at Rs. 24,000/-, which we find to be legally sound, borne out of the record. The High Court erred in questioning the deceased's income and occupation, given the employer's recorded testimony. Consequently, the High Court's observations are overturned, and the Tribunal's original award is reinstated.

Thus, the difference in compensation is as under:

MACT	High Court	This Court
Rs.50,47,000/-	Rs.19,83,080/-	Rs.50,47,000/-

7. The appeal is allowed. Interest on the amount is payable as awarded by the Tribunal. The issue of liability remains untouched, and as a result, the observations of the Tribunal regarding the liability of the insurance company remain as they are.

8. The amount be directly remitted into the bank account of the claimant-appellants. The particulars of the bank account are to be immediately supplied by the learned counsel for the claimant-appellants to the learned counsel for the respondent. The amount be remitted positively within a period of four weeks thereafter. The award shall be satisfied by the insurer i.e., Respondent No. 1, before this Court. The period of delay, if any, in filing this petition shall be excluded during the computation of interest.

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

.....J.
(SANJAY KAROL)

.....J.
(AUGUSTINE GEORGE MASIH)

New Delhi
February 27, 2026