



NON-REPORTABLE

**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

CIVIL APPEAL NO. OF 2026
(@ Special Leave Petition (Civil) No. 600 of 2025)

PAWAN ASHRI & ANR. ... APPELLANT(S)

VERSUS

**S.B.I. GENERAL INSURANCE
COMPANY LTD. & ORS. ... RESPONDENT(S)**

ORDER

Time taken for disposal of the claim petitions by the MACT	Time taken for the disposal of appeals by the High Court	Time taken for the disposal of the appeals in this Court
2 years 8 days	9 years 8 months 27 days	8 months approx.

Leave granted.

2. In a claim petition filed by the husband and children of Smt. Mamta Sharma, a Clerk in the Secrecy Branch, Kurukshetra University, Haryana, upon her death caused due to the rash and

negligent driving of a truck by respondent no.2 owned by respondent no.3, the Motor Accident Claims Tribunal, Kurukshetra in MACT Case No.540 of 2013 awarded a sum of Rs.34,08,675/- with 7.5% interest per annum. The Insurance Company, respondent no. 1, filed an appeal before the High Court of Punjab and Haryana, being FAO No.7481/2015 (O&M) decided on 29th July 2025. The High Court modified the overall compensation to Rs.34,08,675/- and deducted approx. Rs. 29 lakhs received by the claimants by virtue of the Haryana Compassionate Assistance to the Dependents of deceased Government Employees Rules 2006¹ and directed the payment of the remainder amount, i.e., 3,50,532/-. Both the Courts below quantified the monthly income of the deceased to be Rs.20,687/-

3. We have heard the learned counsel for the parties as also the *amici curiae*. We may observe that learned counsel have given judgments both in favour and against, counting household chores in addition to the conventional income, inter alia, ***Laxmidhar Nayak v. Jugal Kishore Behera***²; ***Jitendra Khimshankar Trivedi v. Kasam Daud Kumbhar***³; ***Kirti v. Oriental Insurance Co. Ltd.***⁴; and ***Pappu Deo Yadav v. Naresh Kumar***⁵.

¹ Rules 2006

² (2018) 1 SCC 746

³ (2015) 4 SCC 237

⁴ (2021) 2 SCC 166

⁵ (2022) 13 SCC 790

4. Apart from the compensation being awarded qualifying as *just and fair* the important question which arises for consideration concerns the determination of income of the deceased Mamta Sharma and additions, if any, which are to be made thereto, on account of her contribution to the household.

5. There is no dispute on her professionally earned income. On the question of the deduction in accordance with the Rules 2006 the law is no longer *res integra*. The judgment in ***Reliance General Insurance Co. Ltd. v. Shashi Sharma***⁶, has settled the law since compensation under the MV Act and Rules 2006 are both statutory in nature, deduction of the latter is justified.

6. In the present facts, compensation payable is as under:

Compensation Heads	Amount Awarded	In accordance with:
Monthly Income	Rs.20,687/-	<i>National Insurance Co. Ltd. v. Pranay Sethi</i> (2017) 16 SCC 680 <i>Para 37, 39, 41, 42 and 59.4</i>
Yearly Income	Rs.2,48,244/-	
Future Prospects (30%)	2,48,244/- + 74,473/- = Rs.3,22,717/-	
Deduction (1/3)	3,22,717/- - 1,07,572/- = Rs.2,15,145/-	
Multiplier (15)	2,15,145/- X 15 = Rs.32,27,175/-	
Loss of Income of the Deceased	Rs.32,27,175/-	

⁶ (2016) 9 SCC 627

Loss of Estate	Rs.18,150/-	<i>National Insurance Co. Ltd. v. Pranay Sethi</i> (2017) 16 SCC 680 <i>Para 59.8</i>
Loss of Funeral Expenses	Rs.18,150/-	
Loss of Consortium	48,400/- X 3 = Rs.1,45,200/-	<i>National Insurance Co. Ltd. v. Pranay Sethi</i> (2017) 16 SCC 680 <i>Para 59.8</i> <i>United India Insurance Co. Ltd. v. Satinder Kaur,</i> (2021) 11 SCC 780 <i>Para 37.12</i> <i>Rajwati alias Rajjo and Ors v. United India Insurance Company Ltd. and Ors.</i> 2022 SCC Online SC 1699 <i>Para 34</i>
Total	Rs.34,08,675/- (Rupees Thirty Four Lakhs Eight Thousand Six Hundred Seventy Five only)	

MACT	High Court	This Court
Rs. 34,99,460/-	Rs. 3,50,532/-	Rs. 34,08,675/-
Original award dated May 4, 2015, calculated with 7.5% interest per annum	Recomputed gross compensation to Rs. 33,29,460/-. It then deducted Rs. 29,78,928/- received by claimants under the Haryana Compassionate Assistance Rules, leaving a balance of Rs. 3,50,532/-	Directed that no recovery be made of the Rs. 18 lakhs interim payment already disbursed by the insurer (vide order dated Nov 4, 2015), nor would any further amount be payable to the claimants.

7. Having heard the amount of compensation to which the claimants were otherwise entitled to. Let us now examine as to what the appellants desire from this Court. It is a matter of record

that the claimants have already received a sum of Rs. 29,78,928/- from the employer of the deceased. It is also a matter of record that the claimants have also received a sum of Rs. 18 lakhs from the insurer vide order dated 04.11.2015. Thus, the total amount received thus far is Rs. 47,78,928/-. We may observe that the insurer has specifically undertaken that no refund will be claimed from the claimants if this Court so directs. It is the claimants who, in the interest of justice, seek and have invoked the equitable remedy of this Court. The claimants have already spent the entire amount so received for the advancement of the education and settlement of the children of the deceased. Having spent the entire amount, perhaps it would be in the interest of justice that the present petition is disposed of with the direction that no amount shall be recovered from the petitioners nor would any other amount be payable to them.

8. The appeal is disposed of in the aforesaid terms. Pending application(s), if any, shall stand disposed of.

.....J.
(SANJAY KAROL)

.....J.
(NONGMEIKAPAM KOTISWAR SINGH)

New Delhi;
August 04, 2026