# Legal Case Summary

Case Title: Atul Tiwari vs Regional Manager, Oriental Insurance Co. Ltd.

Citation: 2025 INSC 29

Date of Judgment: 6 January 2025

Bench: Justice Sanjay Karol, Justice Prasanna B. Varale

Author of Judgment: Justice Sanjay Karol

## Parties Involved

Appellant: Atul Tiwari

Respondent: Regional Manager, Oriental Insurance Co. Ltd.

## Background / Facts of the Case

The appellant, Atul Tiwari, a B.Tech student, suffered 60% permanent disability due to a road accident in 2009. The MACT awarded compensation of Rs. 19.43 lakhs. The High Court enhanced only the compensation under 'Loss of Income' to Rs. 27.21 lakhs but failed to evaluate other heads like physiotherapy, attendant care, transport, and future medical needs. The appellant challenged the adequacy of compensation before the Supreme Court.

## Legal Issues Raised

1. Whether the compensation under heads other than 'Loss of Income' was just and proper.

2. Whether the High Court erred in not enhancing compensation in line with medical reports and needs.

3. Whether full and fair compensation was awarded to meet long-term disabilities.

## Judgment / Decision

The Supreme Court held that while the High Court was right in increasing compensation for 'Loss of Income', it erred in not considering deficiencies in other categories of compensation. The Court relied on landmark decisions like Pranay Sethi, Raj Kumar, and Sarla Verma to determine fair compensation. It found that the MACT and High Court ignored evidence of prolonged therapy needs and uncertain recovery. Total compensation was enhanced to Rs. 48 lakhs.

## Final Order

• Appeal allowed.

• Total compensation enhanced to Rs. 48,00,000.

• Interest at 7% p.a. from date of claim application till payment.

## Case Timeline

• 3 Oct 2009: Accident occurred

• 30 Jun 2014: MACT awarded Rs. 19.43 lakhs

• 23 Sep 2022: High Court partly enhanced compensation

• 6 Jan 2025: Supreme Court enhanced total to Rs. 48 lakhs

## Relevant Legal Principles & Precedents

• Motor Vehicles Act, 1988 – Section 166

• Landmark Judgments: Sarla Verma, Pranay Sethi, Raj Kumar, Susamma Thomas, R.D. Hattangadi

## Key Takeaways

- Courts must evaluate all heads of compensation, not just income loss.

- Medical needs, therapy duration, and disability impact must be realistically assessed.

- Supreme Court promotes use of multiplier method and uniform compensation principles.