

was travelling on a motorcycle when a lorry bearing Registration No. KA-20-B-9167 came from the opposite direction. The lorry collided with the motorcycle and was being driven in a rash and negligent manner. The deceased sustained grievous injuries to his head and other parts of the body. The pillion riders also sustained injuries. The deceased later succumbed to the injuries.

- 3.2. The deceased was aged 29 years at the time of the accident. He was an LL.M. graduate and was practicing as an Advocate at Honnalli. It is the case that he was earning approximately ₹35,000/- per month. He is survived by his wife, minor son, and parents, who were the claimants before the MACT in MVC Nos. 123 of 2014 and 124 of 2014.
- 3.3. The MACT, by award dated 8th January, 2016, assessed the notional income of the deceased at ₹15,000/- per month. The MACT held that the deceased had contributed to the accident to the extent of 30%, as he was riding the motorcycle with two pillion riders, which was in violation of the provisions of the Motor Vehicles Act, 1988. While holding that the lorry driver was primarily negligent, the MACT

applied a deduction on account of contributory negligence.

- 3.4. Applying a multiplier of 17 and treating the wife, minor son, and mother as dependents, the MACT assessed the total compensation at ₹22,15,000/-. After deducting 30% towards contributory negligence, the MACT awarded a sum of ₹15,55,000/- towards loss of dependency and ₹16,030/- towards damage to the motorcycle, with interest at the rate of 6% per annum from the date of the petition.
- 3.5. Aggrieved thereby, the appellants preferred an appeal under Section 173(1) of the Motor Vehicles Act, 1988 before the High Court seeking enhancement of compensation.
4. The High Court, by the impugned judgment, partly allowed the appeal. The High Court set aside the finding of contributory negligence, holding that no evidence had been produced to show how the presence of two pillion riders had contributed to the occurrence of the accident. The High Court further held that 40% of the income ought to be added towards future prospects. After deducting one-fourth towards personal expenses and applying the multiplier of 17, the High Court awarded a total

compensation of ₹34,13,200/- under various heads, including loss of consortium, loss of love and affection, loss of estate, and funeral expenses. The rate of interest was maintained at 6% per annum.

5. We have heard Mr. Sharanagouda Patil, learned counsel appearing for the appellants, and Dr. Anand Vardhan Sharma, learned counsel appearing for the respondent.
6. Learned counsel for the appellants submitted that the deceased was a young and qualified advocate with an LL.M. degree and a promising professional career. It was urged that the income assessed by the Courts below does not adequately reflect the future earning potential of the deceased. It was further contended that the dependents have suffered substantial financial loss and that the compensation awarded remains inadequate.
7. Learned counsel for the respondent submitted that the High Court has already granted a substantial enhancement by applying settled principles of law. It was argued that the compensation awarded is just and reasonable and does not call for further interference.

8. We have carefully considered the rival submissions advanced by the parties and have perused the material placed on record.
9. While the High Court has correctly reassessed the compensation by setting aside the finding of contributory negligence and by adding future prospects, we are of the view that, having regard to the peculiar facts of the present case, a limited further enhancement is warranted.
10. This Court is vested with wide powers under Article 142 of the Constitution of India to pass such decree or order as may be necessary for doing complete justice in any cause or matter pending before it. The object of this constitutional power is to enable the Court to bridge the gap between law and justice in exceptional situations where rigid adherence to statutory computation may not adequately redress the harm suffered.
11. In the present case, considering the age of the deceased, his advanced academic qualifications, his professional standing as a practicing advocate, and the loss of future income suffered by the dependents, we are satisfied that an additional lump sum amount of ₹10,00,000/- (Rupees Ten Lakhs only) ought

to be awarded to do complete justice between the parties.

12. Accordingly, in exercise of our powers under Article 142 of the Constitution, we direct the respondent to pay a further sum of ₹10,00,000/- (Rupees Ten Lakhs only) to the appellants, over and above the amount already awarded by the High Court. The said amount shall not carry any interest component and shall be deposited by the Respondent-Insurance Company before the MACT within two months from the date of this order. In the event the above amount is not paid within the time allowed, it would carry simple interest at the rate of 6% from the date of this order till the date it is paid.
13. The appeal is allowed in the above terms.
14. Pending applications, if any, stand disposed of.

.....J.
[VIKRAM NATH]

.....J.
[SANDEEP MEHTA]

**NEW DELHI;
JANUARY 30, 2026**