

**HIGH COURT OF TRIPURA
AGARTALA**

HON'BLE JUSTICE DR. T. AMARNATH GOUD

MAC. APP. NO.50 OF 2025

Reliance General Insurance Company Limited.
Vs.
Bishnu Bala Debnath and ors.

Present:

For the Appellant(s) : Mr. S. Chakraborty, Advocate.
Mr. S. Das, Advocate.

For the Respondent(s) : Mr. S. Datta, Advocate.
Ms. P. Goswami, Advocate.
Ms. S. Nag, Advocate.

C/W

CO(FA) NO.9 OF 2025

Smt. Bishnu Bala Debnath and ors.
Vs.
Divisional Manager, Reliance General Insurance Company Ltd. and ors.

Present:

For the Cross Objector(s) : Mr. S. Datta, Advocate.
Ms. P. Goswami, Advocate.
Ms. S. Nag, Advocate.

For the Respondent(s) : Mr. S. Chakraborty, Advocate.
Mr. S. Das, Advocate.

22.08.2025

Order

1. Both this appeal and the cross-objection are filed challenging the Judgment and Award dated 20.06.2024 passed by the learned Motor Accident Claims Tribunal, Sepahijala District, Sonamura, in Case No. T.S. (MAC) 15 of 2021.

2. Since both the appeal and the cross-objection arise out of and challenge the same Judgment and Award passed by the learned

Tribunal, they were heard together and are being disposed of by this common Judgment.

3. Heard Mr. S. Das, learned counsel appearing for the appellant-Insurance Company, and Mr. S. Datta, learned counsel appearing for the claimants.

4. Mr. Datta, learned counsel for the claimants, submits that in view of the Judgment of the Hon'ble Apex Court reported in **(2017) 16 SCC 680**, titled as **National Insurance Company Ltd. vs. Pranay Sethi and Ors.**, the claimants are entitled to an enhancement of 20% under the heads of consortium, loss of estate, and funeral expenses. It is argued that since the said Judgment was delivered in 2017 and the accident in the present case occurred on 31.03.2021, more than three years had elapsed, and therefore, two increments of 10% each should be granted, amounting to 20% increase.

5. Per contra, Mr. Samar Das, learned counsel for the appellant-Insurance Company, argued that the rate of interest as awarded by the Court below at 8% per annum on the compensation is on the higher side and prayed for a reduction.

6. Heard and perused the evidence on record.

7. Upon consideration of the rival submissions, this Court finds that the contention raised on behalf of the claimants cannot be accepted. The enhancement of 10% under the heads of consortium, loss of estate, and funeral expenses, as directed in **Pranay Sethi (supra)**, is to be allowed once in every three years from the date of accident/entitlement, and not from the date of pronouncement of the Judgment in **Pranay Sethi (supra)**. In the present case, since the accident occurred on 31.03.2021, the claimants are entitled only to 10% increase, and not 20% as claimed.

8. As regards the submission of the learned counsel for the Insurance Company, this Court following the uniform bench mark followed in this kind of matters and finds merit in reducing the interest.

Accordingly, the rate of interest on the compensation amount is modified from 8% per annum to 7.5% per annum.

9. With the above observations and modifications, both the appeal and the cross-objection stand disposed of. The remaining compensation stands undisputed except indicated above. As a sequel, the stay, if any, stands vacated. Pending application(s), if any, also stand closed.

DR. T. AMARNATH GOUD, J



Suhanjit

**SABYASACHI
GHOSH**

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