OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE,
NEW DELHI DISTRICT, PATIALA HOUSE COURTS, NEW DELHI

CIRCULAR

In compliance of the directions of the Ld. Principal District & Sessions Judge, New Delhi District, PHC, New Delhi, regarding Judgment dated 11-06-2026 passed by the Hon'ble Supreme Court of India in Civil Appeal no. 8456 of 2026 in SLP (Civil) No. 33915 of 2025 titled "Shishu Pal @ Shish Ram and Ors V. Surjeet and Ors" has been uploaded on the official website i.e. newdelhi.dcourts.gov.in.

Therefore, it is requested to kindly peruse the abovesaid Judgment dated 11-06-2026 from the official website for kind information & necessary compliance.

(Deepali Sharma)
Officer-in Charge, General Branch
District Judge, Commericial Court -03
New Delhi District, PHC, New Delhi.

No. 2225-2230 /Genl./NDD/PHC/2026 Dated, Delhi the 25/7/2026

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Officer-in Charge, General Branch
District Judge, Commericial Court -03
New Delhi District, PHC, New Delhi.

2026 INSC 634

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO…… OF 2026
(@Special Leave Petition(Civil) No.33915 of 2025)

SHISHU PAL @ SHISH RAM & ORS. ... APPELLANT(S)

VERSUS

SURJEET & ORS. ... RESPONDENT(S)

J U D G M E N T

SANJAY KAROL J.,

For felicity of reference, this judgment is divided into the following parts:

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Leave granted.

THE APPEAL

2. This appeal primarily presents two vexing issues. The claimant's struggle for compensation is two-and-a-half decades old. In other words, delay is front and centre in this case. The other issue presented is the monetisation of a *homemaker*'s efforts since the deceased (*wife of the claimant*) was a homemaker. We may only ask ourselves when in Indian society, the '*woman of the house*' is called the '*grihaswamini*', then why n are we still groping in the dark about the questions such as the one present in this case.

3. The fact of the accident having taken place on 25th November 2001 while the deceased was on her way to Fatehabad, from Sirsa due to the rash and negligent driving of respondent no.1, is not in dispute. The Tribunal[1] allowed Claim Petition No.126/MACT of 2001, preferred by her legal heirs by order dated 18th December 2003 and awarded Rs.2,42,000/- only. The claimants approached the High Court[2] seeking enhancement thereof. A learned Single Judge allowing FAO-1627-2004 *vide* order dated 11th December 2024 enhanced the said compensation to Rs. 8,43,400/- along with 7.5% interest from the date of filing of the claim petition. It was further clarified that should the said payment be not made within three months, the rate of interest would stand enhanced to 9% per annum and further if the amount is not paid within six months, enhancement shall be with interest @ 12% per annum.

[1] Motor Accident Claims Tribunal, Sirsa
[2] FAO No.1627 of 2004

4. Still dissatisfied, the claimants are before us. At the outset we may observe that the increasing scales of rate of interest awarded by the High Court seems to be a recognition of the peculiar facts and circumstances in which this case remained on the file of the High Court for twenty years. While issuing notice it is this number that caught our attention and as such, we called for the records of the Courts below.

THE ASPECT OF DELAY

In the Present facts

5. It appears from the perusal of records of the High Court that the file of this case amongst thousands of others was either partially burnt or completely destroyed in a fire that occurred in 2011. There was also an earlier incident in the year 1996 but since that is from a time prior to the present case, we need not consider that. The issue of reconstruction of files repeatedly engaged the attention of the learned judges of that Court on the administrative side. Various directions were issued from time to time. The latest direction dated 21st February 2024 records that despite various efforts having been made, approximately 2200 cases, of which no record whatsoever could be traced out , were ordered to be removed from the list of pending reconstruction cases and directed to be placed in a separate file awaiting the possibility of any intervention on the part of the counsel for the parties. Such of those cases in which some record or other, could be found, were directed to be listed before the concerned benches. Perhaps the present case was one in the latter category for it came to be decided shortly after these orders and the file does not reflect any steps having been taken by the counsel for the claimants.

6. The appeal was filed before the High Court was filed in 2004. The unfortunate fire incident happened in 2011. The case came to be decided at the fag-end of 2024. Naturally, two questions arise, *one* why was the case arising out

of a beneficial legislation remained pending in 2011 when it was filed in 2004? *Two*, still further, between 2011 and 2024 is a period of 14 years – does the reconstruction of a file or number of files, takes 14 years?

7. The unfortunate circumstances aside, the Court must be aware of the fact that such large amounts of delay reflect purely on an institution which is otherwise tasked with the responsibility to adjudicate the rights of the parties. Although it is never possible to fully compensate for the loss of a person who has been an integral part of a person's family, the idea of '*just and fair*' compensation requires that an amount of money be paid to the claimants that would, as far as possible, place them in a position as if the unfortunate incident of the death of their loved one had not taken place. For whatever reason, when this takes twenty years, the suffering is only compounded further.

In General – the inordinate delay

8. At this stage we may observe that long delay, while may be somewhat justified in this case, we have found, is a regular feature in motor accidents claim cases. True it is that, delay does not fit into mathematical calculation which would tell us that, pendency of a particular case beyond a certain point becomes questionable but for the purpose of general understanding, it may be so considered across the board that, such a case arising out of either an injury or death, both being entirely, a difficult set of circumstances, and from a beneficially oriented legislation, should not be pending at the level of the High Court for a period greater than four years. Here itself we may add that even this number can be justified only for those High Courts that endure high pendency or a large number of vacancies.

9. A Bench presided over by one of us (Sanjay Karol J.) sitting in different combination, has had the opportunity to adjudicate over a hundred appeals in this

area. Following is a tabular representation of the appeals referred to above along with the time taken by the Courts at all the three levels to decide the matter:

S. No.	Date of Decision	Name of the parties	Case no.	CORAM (JJ.)	TIME TAKEN BY COURTS			NAME OF THE HIGH COURT
					TC	HC	SC	
State of Uttar Pradesh								
1.	11.02.25	Sanjay Rajpoot Vs Ram Singh &Ors	C.A. No. 2321 of 2025	Sanjay Karol PK Mishra	1 year 6 months	2 years 9 months	6 months	Allahabad
2.	11.02.25	Deepak Kumar & Ors. Vs Oriental Insurance Co. Ltd. & Ors.	C.A. No. 2677 of 2025	Sanjay Karol PK Mishra	Approx. 5 years 8 months	Approx. 9 months	1 year 6 months	Allahabad
3.	05.05.25	Vijay Devi & Ors Vs. Pramod & Ors	C.A. No. 7179 of 2025	Sanjay Karol Manoj Misra	1 year 4 months	12 years 8 months	4 months 12 days	Allahabad
4.	19.05.25	Vimla Singh & Ors. Vs. Rakesh Kumar Gupta and Anr	C.A. No. 7116 of 2025	Sanjay Karol Joymalya Bagchi	2 years 2 months	3 years 1 month	7 months	Allahabad
5.	14.07.25	Pradeep Kumar Tripathi Vs. Satish Kumar and Ors	C.A. No7737 of 2025	Sanjay Karol Manoj Misra	4 years 11 months 5 days	8 years 6 months 23 days	10 months 9 days	Allahabad
6.	17.11.25	Priti Jaiswal and Ors. Vs The New India Assurance Co Ltd And Ors	C.A.No 15227 of 2025	Sanjay Karol S.C. Sharma	5 years 07 months 17 days	6 years 8 months 20 days	2 months 23 Days	Allahabad
7.	24.02.26	Naseema and Ors Vs. Rajendra Singh and others	C.A.No.3595 of 2026	Sanjay Karol AG Masih	7 months 5 days	17 years 11 months 26 days	1 year 4 months 26 days	Allahabad
State of Andhra Pradesh								
8.	01.12.25	Pamba Ramanjamma & Ors. Vs The Assistant Commissioner Endowments & Anr.	C.A. Nos. 15222-23 of 2026	Sanjay Karol N. Kotiswar Singh	7 months, 15 days	1 year, 9 months, 25 days	3 months 28 days	Andhra Pradesh

State of Maharashtra								
9.	06.05.25	Nanasaheb Ranba Patil Vs. Iffco-Tokio General Insurance Co. Ltd.& Anr	C.A. No. 7163 of 2025	Sanjay Karol Manoj Misra	5 years 3 months	10 years 7 months	4 months 18 days	Bombay
10.	09.05.25	Akshay @ Vikas Ramesh Chavan vs Kailas Vithalrao Shinde and Anr.	C.A. No. 7197 of 2025	Sanjay Karol Manoj Misra	2 years 3 months	4 years 4 months	3 months	Bombay
11.	19.05.25	Yuvraj Vs Shaikh Habib Shaikh Ahmed & Ors.	C.A. No. 7163 of 2025	Sanjay Karol Joymalya Bagchi	2 years 2 months	6 years 5 months	7 months 14 days	Bombay
State of West Bengal								
12.	17.02.25	Jakaria Mondal @ Jakai @ Jikai Vs The National Insurance Co.Ltd. & Anr.	C.A. No. 2633 of 2025	Sanjay Karol PK Mishra	Not given	Not given	Not given	Kolkata
13.	10.03.26	Jyotsna Roy and Anr. Vs. The National Insurance Co. Ltd and Anr.	C.A. No.3591 of 2026	Sanjay Karol A.G. Masih	1 year 2 months 18 days	5 years 2 months 14 days	1 year 4 months 24 days	Kolkata
State of Chhattisgarh								
14.	14.07.25	Sunaina Verma & Ors Vs. Ahmad Niyazi and Ors	C.A. No. 7738 of 2025	Sanjay Karol P K Mishra	4 year 8 months	8 years 1 month	6 months 11 days	Chhattisgarh
15.	18.07.25	Smt. Ganga Devi Gede & Ors Vs. Chandra Kumar Sahu and Ors	C.A. No. 9562 of 2025	Sanjay Karol P K Mishra	2 years 1 month	6 years 5 months	4 months 15 days	Chhattisgarh
16.	06.10.25	Smt. Shanti Bai Sahu & Ors. Vs Ahmad Niyazi & Ors.	C.A. No. 13557 of 2025	Sanjay Karol N. Kotiswar Singh	4 years 7 months 25 days	8 years 1 month 11 days	9 months	Chhattisgarh
17.	02.02.26	Akhilendra Pratap Singh Vs Monu Chouhan And Ors	C.A. No.1561of 2026	Sanjay Karol A.G. Masih	2 years 10 months 3 days	6 years 3 months 8 days	75 days	Chhattisgarh
18.	12.02.26	Pradeep Agrawal vs. Manoj Agarwal & Anr.	C.A. Nos. 3597-98 of 2026	Sanjay Karol N Kotiswar Singh	1 year 11 months 26 days	8 years 11 months	1 year 21 days	Chhattisgarh

Union Territory of Delhi								
19.	05.03.25	Neelam Sharma & ors. Vs Oriental Insurance Co. Ltd. & ors.	C.A. Nos. 3632-33 of 2025	Sanjay Karol Manmohan	7 years 5 months	6 years	3 years	Delhi
20.	19.08.25	Sanjeev Malhotra and Anr. Vs The New India Assurance Co. Ltd. And ors.	C.A. Nos. 10840-41 of 2024	Sanjay Karol Sandeep Mehta	2 years 2 months 19 days	5 years 4 months 19 days	10 months 26 days	Delhi
21.	05.12.25	Soni Sharma Vs Oriental Insurance Co. Ltd. & ors.	C.A. No.15224 of 2025	Sanjay Karol N. Kotiswar Singh	4 Years 6 Months 28 Days	6 years 10 months 25 Days	10 Months 20 Days	Delhi
State of Gujarat								
22.	06.05.25	Iffco Tokio General Insurance Co. Ltd. Vs Pinkyben & Ors.	C.A. No. 7192 of 2025	Sanjay Karol Manoj Misra	11 years 10 months	4 years 9 months	1 year 6 months	Gujarat
23.	08.08.25	Hitesh Nagjibhai Patel Vs Bababhai Nagjibhai Rabari and Anr.	C.A. No. 10278 of 2025	Sanjay Karol P K Mishra	8 years 3 months	2 years 6 months	5 months 6 days	Gujarat
24.	01.09.25	New India Assurance Company Ltd Vs Hansaben Sureshbhai Prajapati And Ors.	C.A. No. 12176 of 2025	Sanjay Karol P K Mishra	5 years 3 months 21 days	3 years 9 months 18 days	4 months	Gujarat
25.	10.02.26	Isha Abbasbhai @ Abha Saicha & Ors. Vs. Sbi General Insurance Co. Ltd & Anr.	C.A. No. 3378 of 2026	Sanjay Karol A.G. Masih	5 years 11 months 13 days	4 years 4 months	4 months 18 days	Gujarat
26.	17.03.26	Faridaben Mahebub Hajiya & Anr. Vs The National Insurance Company Limited. & Ors.	C.A. No. 8041 of 2026	Sanjay Karol A.G. Masih	11 years 2 months 27 days	16 years 11 months 2 days	4 months 11 days	Gujarat
27.	23.04.26	Bhatliben versus The National Insurance Co. Ltd. And Ors.	C.A. No. 7944 of 2026	Sanjay Karol V M Pancholi	14 years 5 months 16 days	11 years 3 months 5 days	1 year 5 days	Gujarat

State of Assam								
28.	17.02.26	Manomanti Chouhan and Anr. Vs. Oriental Insurance Company Ltd. And Ors.	C.A. Nos .3877-3878 of 2026	Sanjay Karol A.G. Masih	5 years 3 months 26 days	1 year 11 months 4 days	4 years 1 month 15 days	Guwahati
State of Jharkhand								
29.	3.11.25	Sunita Devi & ors. Vs. Shakti Singh & ors.	C.A. No. 13911 of 2025	Sanjay Karol N Kotiswar Singh	4 year 2 days	10 years 4 months 24 days	3 months 21 days	Jharkhand
State of Karnataka								
30.	11.02.25	Vijayalaxmi @ Roopa vs. Shenoy vs. National Insurance Co. Ltd.	C.A. No. 2320 of 2025	Sanjay Karol Manmohan	3 years	5 years	9 months	Karnataka
31.	11.02.25	Nur Ahamad Abdulsab Kanavi vs Abdul Munaf & Ors.	C.A. No. of 2322 of 2025	Sanjay Karol PK Mishra	5 years	2 years 6 months	5 months	Karnataka
32.	11.02.25	Jayalakshmi Vs. K. Abhayachandra & Ors	C.A. No. 2315 of 2025	Sanjay Karol PK Mishra	More than 5 Years	3 years 3.5 months	2 years	Karnataka
33.	11.02.25	Saalibai v The Divisional Manager	C.A. Nos. 2311-12 of 2025	Sanjay Karol PK Mishra	8 years 3 months	7 months	1 year	Karnataka
34.	28.02.25	Prabhavathi & ors vs. The Managing Director Bangalore Metropolitan Transport Corporation	C.A. Nos. 3465-3466 of 2025	Sanjay Karol PK Mishra	1 year 2 months	2 years 10 months	1 Years 11 months	Karnataka
35.	02.04.25	Ronald D Cunha Vs. National Insurance Co. Ltd.& Anr.	C.A. No. 5335 of 2025	Sanjay Karol Manoj Misra	3 years 4 months	5 years 2 months	1 year 5 months	Karnataka
36.	02.04.25	Reshma & ors vs. United India Insurance Company Limited & Anr	C.A. No. 5334 of 2025	Sanjay Karol Manoj Misra	1 year	1 year 7 months	3 years 7 months	Karnataka
37.	22.04.25	Susheelabai & anr. Vs. The Divisional Controller N. W. K. R. T. C. & Anr.	C.A. No. 5403 of 2025	Sanjay Karol P K Misra	4 years 7 months	3 years 2 months	2 years 11 months	Karnataka

38.	02.05.25	V.N.S. Prabakar Rao & ors vs. The Reliance General Insurance Company Ltd. & Ors.	C.A. No. 7177 of 2025	Sanjay Karol Manoj Misra	4 years	7 years 1 month	8 months	Karnataka
39.	05.05.25	Suresh Vs. Senthil B. & Anr.	C.A. No. 7182 of 2025	Sanjay Karol Manoj Misra	2 years 10 months	4 years 2 months	2 months 16 days	Karnataka
40.	06.05.25	Sweeta & Anr. Vs the Divisional Manager & Ors.	C.A. Nos. 7195-96 of 2025	Sanjay Karol Manoj Misra	3 years 4 months	3 years 6 months	7 months	Karnataka
41.	06.05.25	Aleem Ulla khan Vs. ponnuswamy & anr.	C.A. Nos. 7193-94 of 2025	Sanjay Karol Manoj Misra	4 years 10 months	5 years 3 months	11 months	Karnataka
42.	19.05.25	Chandrakala D.R. Vs Shivaraju & Anr.	C.A. No. 6979 of 2025	Sanjay Karol Joymalya Bagchi	1 year 7 months	More than 2 years	7 months 25 days	Karnataka
43.	14.08.25	Akkamahadevi and Anr. Vs Prabhuraj And Anr	C.A. No. 11402 of 2025	Sanjay Karol P K Mishra	6 years 6 months 24 days	4 years 2 months 11 days	4 months 10 days	Karnataka
44.	19.08.25	Lalita & Ors. Vs The Divisional Manager N.W.K.R.T.C. & Anr.	C.A. Nos. 10842-43 of 2025	Sanjay Karol Sandeep Mehta	2 years 7 months	6 years 11 months	9 months 17 days	Karnataka
45.	11.09.25	Chandra Mogera Vs. Santhosh A Ganachari & Anr.	C.A. No. 2183 of 2025	Sanjay Karol N Kotiswar Singh	2 years 9 months 12 days	2 years 4 months 7 days	8 months 24 days	Karnataka
46.	26.09.25	Mallesh M. Linga Vs. Raju M. And Anr	C.A. No. 12714 of 2025	Sanjay Karol N. Kotiswar Singh	4 years 9 months 25 days	2 years 2 months 17 days	5 months 29 days	Karnataka
47.	14.10.25	Reshma rep by her next friend Shobha Shobha Vs. Shri. Dajiba Krishna Lad & Anr.	C.A. No. 13627 of 2025	Sanjay Karol N. Kotiswar Singh	1 year 5 months, 7 days	5 years 11 months, 29 days	7 months, 8 days	Karnataka
48.	06.11.25	Sri Pramod vs Sujay Kamath & Ors	C.A. No. 13815 of 2025	Sanjay Karol N. Kotiswar Singh	2 years 8 months 18 days	1 year 9 months 19 days	9 months, 8 days	Karnataka
49.	11.11.25	Sh. Irappa S/o Yallappa Mali & Anr. Vs. Royal Sundaram Alliance	C.A. No. 15376 of 2025	Sanjay Karol Vipul M. Pancholi	1 year 8 months, 23 days	2 years 4 months, 9 days	8 months, 23 days	Karnataka

		Insurance co. Ltd. & Anr.						
50.	09.12.25	Mohammed Mukhtar M D Vs. Abdul Moiddin & Ors.	C.A. No. 15225 of 2025	Sanjay Karol N. Kotiswar Singh	2 years 2 months 7 Days	8 years 2 months 25 Days	2 years 4 months 20 Days	Karnataka
51.	11.03.26	Smt. Kokila Vani K.J. and Ors. Vs. The Divisional Manager M/S United India Insurance Company Ltd and Ors.	C.A. No. 3637 of 2026	Sanjay Karol A.G. Masih	1 year 6 months 19 days	2 years 6 months 6 days	4 years 11 months 5 days	Karnataka
52.	16.04.26	Basamma vs. Rangappa & Anr.	C.A. No. 7934 of 2026	Sanjay Karol A G Masih	2 years 7 months 19 day	1 month	4 months 5 days	Karnataka
State of Kerala								
53.	11.02.25	Sona (Minor) thr. Next friend Vs. Manual C.M & Anr.	C.A. No. 2316 of 2025	Sanjay Karol PK Mishra	2 years 8 months	3 years 4 months	1 year 10 months	Kerala
54.	06.05.25	Sreejith vs. Abdul Rasheed & Ors.	C.A. No. 7191 of 2025	Sanjay Karol Manoj Misra	2 years 8 months	6 years 5 months	2 years 3 months	Kerala
55.	21.07.25	Jiju V. Ganga Vs. Tony Paul and Ors	C.A. No. 9638 of 2025	Sanjay Karol P K Mishra	6 years 2 months	10 years 4 months	10 months 3 days	Kerala
56.	07.11.25	Sudheesh M Vs. MK Purushotam & Ors.	C.A. No. 13818 of 2025	Sanjay Karol N. Kotiswar Singh	7 years 8 days	4 years 3 months 22 days	1 year 3 months 11 days	Kerala
57.	13.11.25	Manoj Vs Satheesh Kumar (dead) through LRS. And Anr.	C.A. No. 14493 of 2025	Sanjay Karol NV Anjaria	10 years 25 days	8 years 5 months 20 days	1 year 6 months	Kerala
58.	28.11.25	Baiju Vs The United India Insurance Company Limited and Ors.	SLP (C) No. 15134 of 2025	Sanjay Karol N. Kotiswar Singh	5 years 11 months 20 days	10 years 03 months 12 days	2 months 15 days	Kerala

59.	04.12.25	Jayaraj Vs The Oriental Insurance Co. Ltd and Ors.	C.A. No. 15382 of 2025	Sanjay Karol N Kotiswar Singh	7 years 3 months 26 days	3 years 11 months 19 days	4 months 19 days	Kerala
60.	18.12.25	Nithin Varghese vs. The Oriental Insurance Co. Ltd	C.A. No.15377 of 2025	Sanjay Karol N. Kotiswar Singh	9 Years 8 months 16 Days	9 years 5 months 13 Days	3 months 26 Days	Kerala
State of Madhya Pradesh								
61.	24.01.25	Sadhana Tomar & Ors vs Ashok Kushwaha & Ors	C.A. No. 3763 of 2025	Sanjay Karol PK Mishra	1 year 10 months	3 years 10 months	1 year 10 months	Madhya Pradesh
62.	07.02.25	Jitendra v Sadiya & Ors.	C.A. No. 2209 of 2025	Sanjay Karol PK Mishra	5 years 8½ months	2 years	12 months	Madhya Pradesh
63.	11.02.25	Vinayak v Manohar Singh & Ors	C.A. No. 2319 of 2025	Sanjay Karol PK Mishra	8 years 3 months	7 months	1 year	Madhya Pradesh
64.	11.02.25	Karuna Parmar vs Prakash Sinha & Ors	C.A. Nos. 2317-18 of 2025	Sanjay Karol Manmohan	5 years 1 month	1 year 10 months	1 year 10 months	Madhya Pradesh
65.	03.03.25	Lalman Shah @ Lalman Sahu vs. The New India Assurance Company Ltd & ors	C.A. No. 4492 of 2025	Sanjay Karol KV Viswanathan	6 years 8 months	1 year	8 months	Madhya Pradesh
66.	18.03.25	Ashok Kumar Vs Chhote Lal Kol & Ors.	C.A. No. 4378 of 2025	Sanjay Karol Manoj Misra	4 years 11 months	1 year 3 months	1 year 6 months	Madhya Pradesh
67.	24.03.25	Indra Kumar vs. Nabbu & Ors.	C.A. No. 5236 of 2025	Sanjay Karol Manoj Misra	4 years 9 months	5 years 6 months	4 months 27 days	Madhya Pradesh
68.	24.03.25	Smt. Suman & Anr. Vs Bhuru khan & Ors	C.A. No. 5238 of 2025	Sanjay Karol Manoj Misra	1 month 22 days	10 years	11 months	Madhya Pradesh
69.	05.05.25	Chandani & Ors Vs. Ramdayal Patel & ors	C.A. No. 7181 of 2025	Sanjay Karol Manoj Misra	1 year 4 months	4 years 3 months	2 months 23 days	Madhya Pradesh
70.	14.08.25	Subran Singh and Ors Vs. Divisional Manager, The New India Assurance Co Ltd. & Ors	C.A. No. 11401 of 2025	Sanjay Karol P K Mishra	4 years 1 month	8 months 16 days	8 months	Madhya Pradesh

71.	19.08.25	Ashok Choubey Vs. Dashrath Kewat and Ors.	C.A. No. 10839 of 2025	Sanjay Karol Sandeep Mehta	3 years 9 months 20 days	3 years 6 months 7 days	11 months 30 days	Madhya Pradesh
72.	26.08.25	Keshkali and Ors. Praveen Swarup Vs Manish Kumar and Ors.	C.A. No. 11896 of 2025	Sanjay Karol Sandeep Mehta	9 months 15 days	12 years 8 months	5 months 21 days	Madhya Pradesh
73.	26.09.25	Vikram Motwani vs Santosh Sharma (Shukla) and anr.	C.A. No. 13524 of 2025	Sanjay Karol N. Kotiswar Singh	5 Years 5 months 21 days	1 year 4 months 20 days	9 months 9 days	Madhya Pradesh
74.	13.10.25	Dhaniya Bai and Ors. Vs. Awadhraj Singh B Argahi	C.A. No. 13868 of 2025	Sanjay Karol P K Mishra	2 Years 10 Months 8 Days	6 Years 7 Months 6 Days	9 months 26 days	Madhya Pradesh
75.	3.11.25	Ku. Aarti & Ors. Vs. Udayveer Singh & Ors.	C.A. No. 14856 of 2025	Sanjay Karol N Kotiswar Singh	1 year 4 months 6 days	9 years and 17 days	7 months and 2 days	Madhya Pradesh
76.	17.11.25	Rajendra Chakrawarti Vs Dinesh Kumar Yadav and Anr	C.A. No. 14496 of 2025	Sanjay Karol S.C. Sharma	5 years, 10 months 18 days	2 years 3 months 13 days	10 months, 18 days	Madhya Pradesh
77.	09.02.26	Dwarka & Ors. vs Bhairam	C.A. No. 3388 of 2026	Sanjay Karol Ujjal Bhuyan	2 years 26 days	7 months	2 months 27 days	Madhya Pradesh
78.	11.02.26	Sushila Dhurve and Ors. Vs. Sukhlal Dhurve and Ors.	C.A. No. 3548 of 2026	Sanjay Karol A.G. Masih	1 year 11 months 6 days	3 years 10 months 14 days	2 months 3 days	Madhya Pradesh
79.	27.02.26	Kashi Bhumia and Ors Vs. IFFCO Tokyo General Insurance Co. Ltd and ors	C.A. No. 3592 of 2026	Sanjay Karol A.G. Masih	1 year 29 days	9 months 29 days	2 months 16 days	Madhya Pradesh
80.	23.04.26	Satendra Singh Vs. Urvijay Prasad Upadhyaya and Ors.	C.A. No. 7943 of 2026	Sanjay Karol V. M. Pancholi	7 years 11 months 11 days	2 years 11 months 22 days	5 months 17 days	Madhya Pradesh
State of Madras								
81.	05.03.25	R. Rabhu Vs. M/s United India Insurance Company & Anr.	C.A. No. 3596 of 2025	Sanjay Karol Manmohan	1 year 11 months	2 years 5 months	1 year 4 months	Madras
82.	25.03.25	R. Santosh & Ors. Vs The Managing Director, Metropolitan	C.A. Nos. 5341- 42 of 2025	Sanjay Karol Manoj Misra	2 years 6 months	1 year 3 months	7 months	Madras

		Transport Corporation Ltd.						
83.	01.04.25	P. Dhanalakshmi vs. M/s. Reliance General Insurance Co. Ltd	C.A. Nos. 4582-4583 of 2025	Sanjay Karol Manoj Misra	9 years 10 months	3 years 3 months	2 years 1 month	Madras
84.	05.05.25	Thamilarasi & Anr. Vs M. Balakrishnan & ors	C.A. No. 7180 of 2025	Sanjay Karol Manoj Misra	5 years approx..	10 years approx..	3 months 5 days	Madras
85.	21.05.25	C.Karunakaran Vs SRM Transport India Pvt Ltd & Anr	C.A. No. 7162 of 2025	Sanjay Karol Joymalya Bagchi	2 years 12 days	5 years 11 months	5 months 3 days	Madras
86.	01.9.25	S. Mumtaj Vs. M/s JSM Logistics Private Limited And Anr.	C.A. No. 12211 of 2025	Sanjay Karol P K Mishra	6 years 8 months 22 days	2 years 10 months 11 days	3 months 11 days	Madras
87.	26.09.25	Subramanian & Anr. Vs. The Tamil Nadu State Transport Corporation Ltd	C.A. No. 12716 of 2025	Sanjay Karol N. Kotiswar Singh	1 month 18 days	9 year 9 months 24 days	4 months 15 days	Madras
88.	03.02.26	Kothandaraman & Anr. Vs. Rajasekar & Anr.	C.A. Nos. 3625 -26 of 2026	Sanjay Karol A.G. Masih	2 years 4 months 1 day	1 year 10 months 10 days	1 year 4 months 3 days	Madras
<u>State of Orissa</u>								
89.	07.02.25	Harekrishna Mahanta v Himadari Sahu & Anr.	C.A. No.2204 of 2025	Sanjay Karol PK Mishra	3 years	3 years	2 years 2 months	Orissa
90.	20.05.25	Rasmita Sahu & Ors. Vs The Divisional Manager & Anr.	C.A. No. 7198 of 2025	Sanjay Karol Sandeep Mehta	1 year 5 months	5 years 4 months	1 year 10 months	Orissa
91.	14.07.25	Lili Kumar Swain and Ors vs. Branch manager Royal Sundaram Alliance Insurance Co. Ltd	C.A. No. 7739 of 2025	Sanjay Karol P K Mishra	9 years 1 month 20 days	1 year 5 months 12 days	4 months 23 days	Orissa
92.	28.07.25	Parbati Sahoo & ors. vs The Oriental Insurance Company Limited & Anr.	C.A. No. 9877 of 2025	Sanjay Karol P K Mishra	13 years 3 months	6 months 6 days	4 months 24 days	Orissa

93.	12.11.25	Sebati Nath & ors vs. Shriram General Insurance Co. Ltd	C.A. No. 14497 of 2025	Sanjay Karol Vipul. M. Pancholi	7 years 1 month 2 days	2 years 1 month, 5 days	5 months, 23 days	Orissa
State of Punjab and Haryana								
94.	10.02.25	Deepak Singh alias Deepak Chauhan v. Mukesh Kumar & ors.	C.A. No. 2255 of 2025	Sanjay Karol Manmohan	Not given	Not given	Not given	P & H High Court
95.	11.02.25	Seema Rani & Ors v Oriental Insurance Co. Ltd. & Ors	C.A. No. 2323 OF 2025	Sanjay Karol PK Mishra	1 year	6 years 9 months	4 months	P & H High Court
96.	17.02.25	Krishna & ors. V. Sanjay Kumar & ors.	C.A. No. 2632 of 2025	Sanjay Karol N Kotiswar Singh	2 years 1 month	1 year 3 months	5 months	P & H High Court
97.	25.03.25	Kamlesh & ors. Vs Zile Singh & ors.	C.A. No. 5237 of 2025	Sanjay Karol Manoj Misra	11 months 30 days	9 years 9 months	2 years 1 month	P & H High Court
98.	28.03.25	Savita & ors. Vs. Ajay & ors.	C.A. No. 4470 of 2025	Sanjay Karol Manoj Misra	1 year 3 months	6 years	10 months	P & H High Court
99.	05.05.25	Kamlesh & Ors. Vs. Dhanna Singh & Anr.	C.A. No. 7178 of 2025	Sanjay Karol Manoj Misra	11 months 26 days	3 years 11 months	5 months 4 days	P & H High Court
100.	23.05.25	Nirmal Gupta Vs. C. Roshan Lal & Ors	C.A No. 7467 of 2025	Sanjay Karol Joymalya Bagchi	More than 3 years	13 years 11 months	5 months 8 days	P & H High Court
101.	03.06.25	The New India Assurance Co. Ltd. Vs. Mansab Ali & Ors	C.A. No. 7371 of 2025	Sanjay Karol Manoj Misra	2 years 6 months	1 year 1 month	3 months 24 days	P & H High Court
102.	26.09.25	Satish Kumar and Ors Vs. Rakesh Kumar and Ors	C.A. No. 15378 of 2025	Sanjay Karol N. Kotiswar Singh	1 year 10 months 28 days	17 years 11 months 2 days	2 months 12 days	P & H High Court
103.	09.12.25	Smt. Krishana & Ors. Vs. Jagat Singh & Anr.	C.A. No. 15226 of 2025	Sanjay Karol N. Kotiswar Singh	2 years 8 months, 17 days	8 years 2 months, 14 days	1 Year 10 Months, 4 Days	P & H High Court
104.	11.12.25	Anu Suia and Anr. Vs. Pepsu Road Transport Corporation and Anr.	C.A. No. 15390 of 2025	Sanjay Karol N Kotiswar Singh	2 Years 3 Months 20 Days	18 Years 9 Months 16 Days	1 Year 2 Months 24 Days (Ist Appeal)	P & H High Court

							4 Years 5 Months 18 days (2nd Appeal)	
105.	13.01.26	Mohit Garg vs Hari Ram, since deceased now represented by LR and Ors	C.A. No. 1664 of 2026	Sanjay Karol A.G. Masih	3 years 8 months, 20 days	3 years 8 months 25 days	3 years, 3 months, 4 days	P & H High Court
106.	09.02.26	Rinku Vs. Umar Mohammed and Anr.	C.A. No. 3517 of 2026	Sanjay Karol Ujjal Bhuyan	5 years 11 months 15 days	5 years 8 months 11 days	8 months 5 days	P & H High Court
107.	09.02.26	Sukha Singh and Anr. Vs. Iffco Tokyo General Insurance Company Ltd & Ors.	C.A. No. 3421 of 2026	Sanjay Karol Ujjal Bhuyan	1 year 4 months 23 days	1 year 4 months 3 days	3 years 4 months	P & H High Court
108.	11.02.26	Sunil Kumar @ Shina Vs. Hanuman Singh and Ors.	C.A. No. 3593 of 2026	Sanjay Karol A.G. Masih	1 year 9 months 1 day	12 years 17 days	4 months 2 days	P & H High Court
109.	13.02.26	Rattan Lal Singh & Anr. Vs. Ashok Kumar and Ors	C.A. No. 3549 of 2026	Sanjay Karol N Kotiswar Singh	1 year 9 months 15 days	6 years 5 months 11 days	6 months 30 days	P & H High Court
110.	19.02.26	Pahlad and Anr. Vs. Jagatpal & Ors.	C.A. No. 3387 of 2026	Sanjay Karol A.G. Masih	2 years 29 days	8 years 8 months 12 days	1 year 11 months 13 days	P & H High Court
111.	27.02.26	Raj Rani and Others Vs. Karan and others	C.A. No. 3590 of 2026	Sanjay Karol A.G. Masih	5 months 26 days	9 months 27 days	6 months 1 day	P & H High Court
112.	17.04.26	Sushma & Ors. Vs. Rinku & Anr.	C.A. No. 7835 of 2026	Sanjay Karol N. Kotiswar Singh	2 years 2 months 28 days	3 years 9 months 28 days	5 months 4 days	P & H High Court
State of Rajasthan								
113.	10.02.25	Prakash Chand Sharma Vs. Rambabu Saini & Anr.	C.A. No. 2254 of 2025	Sanjay Karol Manmohan	Not given	Not given	Not given	Rajasthan

114.	28.03.25	Mohammad Maruf Khan & Anr. Vs. ICICI Lombard General Insurance Company Ltd & Ors	C.A. No. 4472 of 2025	Sanjay Karol Manoj Misra	**Round 1** 2 years 1 month **Round 2** 3 months	5 months 10 months	6 years 3 months	Rajasthan
115.	14.07.25	Rajput Gayatri Devi and Ors Vs. Radheshyam and Ors	C.A. Nos. 7740-41 of 2025	Sanjay Karol P K Mishra	2 years 4 months 25 days	13 years 11 months 19 days	4 months	Rajasthan
116.	22.07.25	Rekha Sharma and Ors v. Khalil Ahmad and Anr.	C.A. Nos. 9669-70 of 2025	Sanjay Karol P K Mishra	2 years 3 months 24 days	6 years 1 month 8 days	5 months 19 days	Rajasthan
117.	7.11.25	Sayar & Ors. Vs. Ramkaran & ors.	C.A. No. 13912 of 2025	Sanjay Karol N. Kotiswar Singh	1 Year 4 Months 19 Days	15 Years 8 Months 17 Days	3 Months 10 Days	Rajasthan
118.	17.11.25	Kirosata Devi and Ors. Vs Ram ji Lal and Ors	C.A. No. 14857 of 2025	Sanjay Karol S.C. Sharma	1 year 11 months, 22 days	10 years, 4 months, 22 days	7 months 28 days	Rajasthan
119.	11.03.26	Amar Singh Vs. Rajendra Singh and Anr.	C.A. No. 3596 of 2026	Sanjay Karol A.G. Masih	5 years 11 months 15 days	5 years 8 months 11 days	8 months 5 days	Rajasthan
120.	24.04.26	Smt. Nargis Siddique Vs. Oriental Insurance Co.Ltd and Ors.	C.A. No. 7942 of 2026	Sanjay Karol A.G. Masih	10 years 10 months 26 days	15 years 7 months 18 days	4 months 5 days	Rajasthan
State of Telangana								
121.	11.02.25	Shyam Prasad Nagalla & Ors. V.s The Andhra Pradesh State Road Transport Corporation & Ors.	C.A. No. 2324 of 2025	Sanjay Karol PK Mishra	2 years	9 years	2 months	Telangana
122.	05.05.25	S. Rajkumar Vs. M/s kaven and kamakshi travels & anr.	C.A. No. 7183 of 2025	Sanjay Karol Manoj Misra	2 years 11 months	10 years, 10 months	2 months 8 days	Telangana
123.	20.04.26	P.Jashwanth Vs. United India Insurance Company Ltd. & Anr.	C.A. No. 7868 of 2026	Sanjay Karol A.G. Masih	5 years 1 month 25 days	6 years 2 months 10 days	3 months 4 days	Telangana

We may record that overall, an unhappy picture emerges. In almost 50% of the matters, pendency was over four years. It is not even for a moment our consideration that the Courts are solely responsible for such delay; but we are of the view that the Courts must remain vigilant with regard to the pendency of such cases. Adjournments should only be granted for genuine reasons. What those genuine reasons may be, we cannot list out, but one of the foremost considerations that must be the force of expediency in such matters is the incidence of interest that may befall the insurance company/owner/driver. Quite often it may so happen that the interest when computed is equal to a substantial percentage of the award itself which in itself is an indication that an institution-wide remedy is called for in such matters.

THE HOME-MAKER: A NATION BUILDER & AN ECONOMIC ENTITY

10. In our view, it is ironic to describe a *homemaker* as dependant on earning members, when, in reality the household's functioning depends substantially on the homemaker. The earning members are in fact solely dependent on the homemaker but *alas*, this reality does not receive the acknowledgment it deserves. Efforts have been made across fields to some success but yet undeniably the road is still long.

We notice that as far back as 1920, a hundred-and-four-years ago, the noted economist Sir Cecil Pigou, in his work *The Economics of Welfare* observed:–

> "… the services rendered by women enter into the dividend when they are rendered in exchange for wages, whether in the factory or in the home, but do not enter into it when they are rendered by mothers and wives gratuitously to their own families. Thus, if a man marries his housekeeper or his cook, the national dividend is diminished."

11. This idea has since engaged the attention of economists and sociologists, consistently. Viewed from the lens of both fields, its undervalued nature, is a

common strand, whether it be tasks that are considered '*everyday*' such as cooking, cleaning and other similar activities that undoubtedly support the paid workforce by enabling economic productivity, yet they are in themselves not recognised as productive activities for the purposes of measures such as GDP. To put the enormity of what is missed out by these conventional methods, it may be noted that every day, around sixteen billion hours individual are devoted to unpaid domestic work and care.[3] The General Recommendation No.17 issued in the Tenth Session in 1991 of the Committee on the Elimination of Discrimination against Women deserves recall here:

> "Affirming that the measurement and quantification of the unremunerated domestic activities of women, which contribute to development in each country, will help to reveal the de facto economic role of women,
> Convinced that such measurement and quantification offers a basis for the formulation of further policies related to the advancement of women,
> Noting the discussions of the Statistical Commission, at its twenty-fifth session, on the current revision of the System of National Accounts on the development of statistics on women,
> Recommends that States parties:
> (a) Encourage and support research and experimental studies to measure and value the unremunerated domestic activities of women; for example, by conducting time-use surveys as part of their national household survey programmes and by collecting statistics disaggregated by gender on time spent on activities both in the household and on the labour market;
> (b) Take steps, in accordance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and the Nairobi Forward-looking Strategies for the Advancement of Women, to quantify and include the unremunerated domestic activities of women in the gross national product;
> (c) Include in their reports submitted under article 18 of the Convention information on the research and experimental studies undertaken to measure and value unremunerated domestic activities, as well as on the progress made in the incorporation of the unremunerated domestic activities of women in national accounts."

Another computation, specifically in the Indian context, is the Time Use Survey conducted in 2019 which highlights the extent of unpaid domestic and caregiving work, particularly undertaken by women. Women aged between 15–

[3] https://ilostat.ilo.org/topics/unpaid-work/measuring-unpaid-domestic-and-care-work/#:~:text=Every%20day%2C%20more%20than%2016,based%20inequalities

59 years spend over seven hours daily on unpaid domestic tasks, compared to less than three hours by men. On an average, women perform 2.6 times more unpaid caregiving/domestic work, even when they are otherwise contributing economically. This one-sided scenario is probably one of the reasons why the country has low female labour force participation at 31.7%, since the societal framework generally presumes such responsibilities to be automatically falling upon women. Women's unpaid caregiving work is estimated to contribute 15 - 17% of India's GDP, yet it remains unpaid and unrecognised[4]. Efforts have been made to address this gap by methods such as the replacement cost approach which, as the name suggests, pertains to calculating economic impact of hiring help to undertake those activities, or through the opportunity cost approach which considers the income foregone by a homemaker by not participating in the labour market. The undervaluing in economic terms emanates from an abiding sense of fidelity to stereotypical gender roles. The attempt to ascribe value for therefore is not simpliciter an attempt to assign monetary worth therefore making the endless efforts of a homemaker more recognizable and calculable but also it is challenging and redefining what is understood as valuable.

12. It must also be observed that this economic shift of valuing a homemaker's efforts is not limited only to monetary aspects. There has been a shift in sensibilities - a married woman who takes care of the house is no longer called a *housewife* and has now been elevated to the deserved status of *homemaker* in recognition of the multitudes of facets that her presence in the home covers. The term '*housewife*' has been present for centuries with its earliest use being recorded in the year 1225[5] whereas the word '*homemaker*' is relatively newer, being traced

[4] https://www.undp.org/india/blog/who-cares-making-care-everyones-work
[5] https://www.oed.com/dictionary/housewife_n?tl=true

back to somewhere in the 1860s[6]. It may be true that Judiciary has made a conscious effort to shift its use to the latter term but in common use the stereotypical earlier term still continues with a ratio of 4:1. Although this shift in terminology has been seen in earlier judgments, we would like to note that this Court in its recent handbook on combating gender stereotypes[7] stated that the use of the term '*housewife*' would be incorrect and instead the word '*homemaker*' should be used. In the same book, it has also been noted as follows:

Stereotype	**Reality**
Women who do not work outside the home do not contribute to the household or contribute very little in comparison to their husbands.	Women who are homemakers perform unpaid domestic labour (such as cooking, cleaning, washing, household management and accounts) and care work (such as caring for the elderly and for children, helping children with their homework and extracurriculars). The unpaid labour performed by women not only contributes to the household's quality of life but also results in monetary savings. Women who are homemakers contribute to the household to an equal (or greater) extent.

13. Apart from the fact that contribution of women to the society extends far beyond biological reproduction, they are also largely responsible for the preparation of human capital on which the dreams of being the world's largest economy among other things rest. It is often said that a mother is the first teacher that a child has. This teaching however is not like a school or a college, that has a definite end date and instead continues for the entire lives of both the mother and the child. Whatsoever positive act is undertaken by the child such as learning a

[6] https://www.oed.com/dictionary/housewife_n?tl=true
[7] https://cdnbbsr.s3waas.gov.in/s3ec0490f1f4972d133619a60c30f3559e/uploads/2024/01/2024012544.pdf released on 16th August 2023 and updated on 13th November 2023

skill, a language, a trade or a profession, is informed by the training that is given on the daily, by the mother.

Similarly, and most significantly, human relations which are the cornerstone of society, are perceived and understood first and foremost through the ways exemplified by conduct of the mother. The everyday nudging and signalling towards proper behaviour etiquette, later forms the path which the said child would then emulate for their future generations. It is, therefore, a successive chain built intercommunity and intergenerationally, of trust, cooperation and transmission of cultural memory, norms, which take the form of social bonds that sustain an individual either as familial relations or friendships and to an extent even professional networks. The understanding of acceptable and unacceptable behaviour whether it is within the home or outside it, is also communicated by the person who is in the home at all times. Those who step out for livelihood and return only at the end of the day, for obvious reasons have limited interaction and so their role in the constant shaping of the individual, may somewhat be limited.

On the emotional and psychological plane, the inherent ability of a *homemaker* to juggle multiple aspects whether it is meals, properly ironed clothes, stocking up supplies, caring for the elderly in the house, ensuring that the children stay on top of their schoolwork and so many more things that enabled, to use a somewhat stereotypical expression, the '*men of the house'*, to have their undivided focus on earning a good living. They provide a sense of insulation from the pressures of the outside world, a bubble in which everything is taken care of and all that is needed for the people therein, is to relax and rejuvenate preparing themselves for what the next day might bring. In the majority of households, this is taken to be '*normal*' but the truth is that those who do not have this luxury, truly understand what is missing in their lives. The family members in households where the homemaker is absent be it for whatever reason, are often required to come together and each individual therein will do a part of the work that would

otherwise fall to the absent individual who would, in fact do it with a smile on their face.

True it is that the reality/realities contemplated thus far are both of urban and rural application. But it is the case at least in certain areas that the women in rural areas endure additional difficulties/labour- walking kilometres for pails/*matkas* of water, transporting mounds of hay atop their backs on a daily basis or being an additional hand in their fields alongside their husbands other than doing all of the household work in furtherance of smooth functioning of their households.

All of these aspects be it economic, emotional or psychological have a direct corelation to creating a healthy society and in turn towards national development and are areas of intense study in the subjects of public health and social policy.

In the preceding paragraphs, we have attempted to give a world eye's view of the multifarious roles that are performed by a lady – a homemaker and yet why is it that they are generally perceived through a singular outlook? To put it directly and yet indirectly, a homemaker is like the potter and a home itself is a lump of clay. All shapes, sizes and designs are a result of the exact right mix of the mud with the water and the gentle caress of the hand to shape the clay into something that is wholesome, attractive and useful.

These are the people responsible for laying the foundation stones on which the edifices of the high flying business persons, successful politicians, headlining artists, sought after lawyers etc., on the one hand and on the other, the *silent* support behind the daily grind of an everyday worker who steps out of home in the hopes of making a decent living for the day in other words, they have a role either entirely invisible or just partially visible in the work of all those persons who are recognised to be contributing to the nation. It is high time now that the

invisible is made visible or the veil is pierced to make what can be partially seen come out in the open. The "***homemakers***", to put it directly, actually are the "***nation builders***" and they ought to be recognised as such.

In the end, we must place two caveats. The discussion above has been made to highlight what has thus far remained unhighlighted. We are aware though that this reality is not everyone's reality. In certain homes, the *homemaker* has no option but to be other things alongside being the *homemaker* i.e., the breadwinner as well. In this scenario, all the above facets, are in some way, shape or form present and may place an equally strenuous demand on her time but nonetheless are performed with equal ease and understanding.

It may be a matter of deep seeded gender stereotypes that when we think of the word '*homemaker*' the picture that emerges is that of a woman. This however may not be appropriate in all cases. As a result on one circumstance or another, sometimes unfortunate sometimes not, a man may too need to don the role of a *homemaker*. It is not to take away from the efforts of these men who also deserve recognition and acknowledgment, but for the purposes of the present case and more particularly the quantification of domestic efforts, we limit its application to the quintessential and traditional image, that of a woman.

Judicial Pronouncements

14. In light of the contextual background as above, we now refer to the instances where judicial notice has been taken, of the efforts of the *homemaker* although referred to as housewife and attempts have been made to provide a pecuniary basis therefor:

14.1 In ***Lata Wadhwa v. State of Bihar***[8], a Bench of three Judges dealt with the determination of compensation for the death of a housewife in a

[8] (2001) 8 SCC 197

fire that erupted in the premises of a TISCO factory under Article 32 of the Constitution of India. It approved the multiplier method for determination of compensation as applied by Mr. Justice Y.V. Chandrachud, former Chief Justice of India who was the arbitrator in the matter. For the deceased housewives who were generally taken to be within the age group 34 to 59, Rs.3000/- per month was determined to be adequate.

14.2 In ***Arun Kumar Agrawal v. National Insurance Co. Ltd.***[9], the Court was concerned with the compensation to be awarded to the aggrieved husband of one Mrs. Renu Agarwal who died as a result of the car being driven by the appellant therein being hit by a truck, resulting in the former's death. It was observed:

> **"26.** In India the courts have recognised that the contribution made by the wife to the house is invaluable and cannot be computed in terms of money. The gratuitous services rendered by the wife with true love and affection to the children and her husband and managing the household affairs cannot be equated with the services rendered by others. A wife/mother does not work by the clock. She is in the constant attendance of the family throughout the day and night unless she is employed and is required to attend the employer's work for particular hours. She takes care of all the requirements of the husband and children including cooking of food, washing of clothes, etc. She teaches small children and provides invaluable guidance to them for their future life. A housekeeper or maidservant can do the household work, such as cooking food, washing clothes and utensils, keeping the house clean, etc., but she can never be a substitute for a wife/mother who renders selfless service to her husband and children.
>
> **27.** It is not possible to quantify any amount in lieu of the services rendered by the wife/mother to the family i.e. the husband and children. However, for the purpose of award of compensation to the dependants, some pecuniary estimate has to be made of the services of the housewife/mother. In that context, the term "services" is required to be given a broad meaning and must be construed by taking into account the loss of personal care and attention given by the deceased to her children as a mother and to her husband as a wife. They are entitled to adequate compensation in lieu of the loss of

[9] (2010) 9 SCC 218

> gratuitous services rendered by the deceased. The amount payable to the dependants cannot be diminished on the ground that some close relation like a grandmother may volunteer to render some of the services to the family which the deceased was giving earlier."

Further, in para 35 it was observed:

> **35.** In our view, it is highly unfair, unjust and inappropriate to compute the compensation payable to the dependants of a deceased wife/mother, who does not have a regular income, by comparing her services with that of a housekeeper or a servant or an employee, who works for a fixed period. The gratuitous services rendered by the wife/mother to the husband and children cannot be equated with the services of an employee and no evidence or data can possibly be produced for estimating the value of such services. It is virtually impossible to measure in terms of money the loss of personal care and attention suffered by the husband and children on the demise of the housewife. In its wisdom, the legislature had, as early as in 1994, fixed the notional income of a non-earning person at Rs. 15,000 per annum and in case of a spouse, 1/3rd income of the earning/surviving spouse for the purpose of computing the compensation.

14.3 In ***Rajendra Singh v. National Insurance Co. Ltd***.[10], the Court took the notional income of the deceased housewife aged 30 years at the time of the accident in December 2012 following ***Arun Kumar Agrawal*** (supra).

14.4 In ***Kirti v. Oriental Insurance Co. Ltd.***[11]**,** N.V.Ramana, J. (as he then was) while dealing with a case of two deceased parents (*the father was earning and mother was homemaker*), in a claim filed by minor daughters observed as follows with regard to the time taking and painstaking efforts of a homemaker - in essence, in transforming the four walls of a house to a lively and fulfilling home:

> **"23.** In fact, the recently released Report of the National Statistical Office of the Ministry of Statistics & Programme Implementation, Government of India called "*Time Use in India-2019*", which is the first Time Use Survey in the country and collates information from 1,38,799 households for the period January 2019 to December 2019, reflects the same gender disparity. [National Statistical Office, Time

[10] (2020) 7 SCC 256
[11] (2021) 2 SCC 166

> Use in India, 2019 (September 2020).] The key findings of the survey suggest that, on an average, women spend nearly 299 minutes a day on unpaid domestic services for household members versus 97 minutes spent by men on average. [*Id*, at p. 56.] Similarly, in a day, women on average spend 134 minutes on unpaid caregiving services for household members as compared to the 76 minutes spent by men on average. [*Id*, at p. 54.] The total time spent on these activities per day makes the picture in India even more clear—women on average spent 16.9% and 2.6% of their day on unpaid domestic services and unpaid caregiving services for household members respectively, while men spent 1.7% and 0.8%. [*Id*, at p. x.]

Quantifying The Contribution-of a Nation Builder

15. In usual circumstances this Court would not have ventured further than taking note of the fact that the incident and judgment in ***Lata Wadhwa*** **(supra)** was contemporaneous to the unfortunate accident in this case and as such compensation could be calculated using the Rs.3000/- per month metric applied therein however, in our considered view that would not be justified. It has to be observed that to measure the contributions of a homemaker and mother as in this case in strictly monetary terms is a task of considerable difficulty for each and every aspect of the day, month and year of such a homemaker's family members is informed, shaped by her sometimes acknowledged, but most often unacknowledged or taken for granted, efforts. If compensation is to be calculated in the present day while accounting for the egregious delay, to do so in terms that were frozen on the day of the death of the deceased would be grossly undervaluing the silent strength of homemakers.

16. That being said, even when it comes to computation for damages under non-pecuniary heads, the loss still does require the recognition of such heads before compensation can be awarded. The first of them being the loss of the *homemaker*'s dexterous ability to manage all the chores of the household. Granted, that in the increasingly modern urban centres of the country it may not be the case that a homemaker stands in front of the gas stove bright and early in

the morning or late at night or even that she walks around, slouched, running the broom throughout the house, but, the fact of the matter is that in smaller cities, towns and villages, even today, such tasks assumedly and invariably fall on the *homemaker*, without as much as a second thought. The second head pertain to the children of the house. They have lost their mother, the source of never-ending love, comfort and affection, the person who they could run to with all their problems, questions and concerns and heartbreaks. She is also their first point of contact with the ways of the world, silently and subtly teaching them skills of survival, perseverance and excellence shaping them into well rounded human beings capable of being functioning contributors to the economy of the nation. This, in our view, is somewhat different from emotional support or dependence for primary skills necessary for everyday functioning that are imbibed by the children from their mother. This has a distinctly economic angle while also being partly an emotional aspect perfectly fitting into the non-categorizable roles played by homemaker. How does one calculate this? The third is equally troubling. A husband has, no longer, the support of his life partner, someone he depends on entirely to run smoothly, an entire part of his life, his home, family, children, relatives. Even in conservative settings where patriarchy looms large, the sense of dependency that obtains, if taken away, greatly challenges the man for he is now directionless and suddenly responsible for a lot more than he is used to. When the efforts of the *homemaker* towards the husband and children are taken on the whole it cannot be disputed that although her labour be at emotional or physical is within the four walls of the home, its impact is much wider. In enabling the direct contribution today of their husbands and tomorrow of their children, they are the building blocks for the nation's road to holistic progress.[See***: Kalukutty v. P.M. John***[12]***, Bhuvaneswari v. Mani***[13]] We may also

[12] 2023 SCC OnLine Ker 964
[13] 2020 SCC OnLine Mad 2163

observe that in a recent order of this Court in ***Arvind Kumar Pandey v. Girish Pandey***[14], also made similar observations to the following effect:

> "**7.** It goes without saying that the role of a homemaker is as important as that of a family member whose income is tangible as a source of livelihood for the family. The activities performed by a homemaker, if counted one by one, there will hardly be any doubt that the contribution of a homemaker is of a high order and invaluable. In fact, it is difficult to assess such a contribution in monetary terms."

Any computation made as a result of injury suffered or death, should be aware of this larger role and not be myopic in its view.

The loss of a *homemaker* however is not limited to husband and children. It also directly impacts the women's own parents who have been deprived of the love and company of their child, who have lost the support and comfort of this person and are left alone with this boundless grief. Still further, the loss is acutely felt by her in-laws who are more often than not members of the same household and therefore are dependent on the love, labour and dedication of this person, for food for medicines and doctor's visit or for even the regular company over a morning tea. Strict arithmetic calculation does not lend its services to any of these scenarios.

17. It is settled law by virtue of ***National Insurance Co. Ltd. v. Pranay Sethi***[15], , that in all cases that have resulted in death, loss of consortium is to be paid to the claimants at the rate of Rs.40,000/- per dependant along with 10% increase on the said amount every three years, so in 2026 the compensation awarded under this head is Rs.48,400/-. This we may note is irrespective of whether the deceased is a male/female/child/retired/working or whatever else. We are of the considered view, in such situations the computation of compensation upon the death of a homemaker suffers from an inherent

[14] (2025) 2 SCC 145
[15] (2017) 16 SCC 680

disadvantage. The amount awarded under the same is over and above what is calculated on the basis of the earnings/salaries/pension/notional income for certain categories of claimants. In view of the fact that there is no standard income on the basis of which compensation can be calculated and a figure is taken for the purposes of calculation on guesswork, the true worth of the homemaker is missed out, in as much as it is amenable to calculation in monetary terms.

18. Future prospects when calculated on the basis of the above judgment in ***Lata Wadhwa*** (supra) would also be calculated on the comparative lower notional income (Rs.3000/-per month) given that, both the fire incident and the accident forming the basis of this appeal are from the year 2001.

19. When such conservative figures are used to build up compensation, the amount arrived at is paltry, and not even close, as much as monetary terms can be, to the loss endured by the claimants. Notional income is intended to approximate the economic value of in the case of homemaker, services rendered by them. However, for whatever reason, judicial notice of this issue is usually overly conservative, without due acknowledgment of the fact that the role of the *homemaker* is neither entirely economic nor entirely non-economic and blends the factors of economy with emotional and managerial contributions and as such fixed compensation in terms of loss of consortium does not cover the entire gamut of their contribution.

Loss Of Domestic Care: An Additional Head

20. It is in these circumstances, that we deem it appropriate to direct that when a Motor Accidents Claim Tribunal or the High Court or this Court is concerned with or a case involving the death of a *homemaker*, in order to

overcome the inherent disadvantage accrued against the *homemaker* on a calculation of compensation on the basis of conservatively computed notional income and while being acutely aware of the dictum in ***Pranay Sethi*** *(supra)* regarding loss of consortium as also the disposition towards uniformity, that for the three major heads (*the homemaker's contribution towards smooth functioning of the household, the loss of maternal support for children and loss of spousal support/the support and care of their child who is an adult, for the parents of the deceased*) discussed in the foregoing paragraphs, a composite sum of Rs.30,000/- shall be added under the head of '*loss of domestic care',* provided that all three of these heads are met in the given case. This determination shall be revised by 10%, cumulatively, every three years. It may be clearly stated that this amount of Rs.30,000/- i.e., loss of domestic care is to be taken as a '*stand-in*' (basic minimum monthly income) for monthly income in those cases where the *homemaker* does not have an input into the house, in strictly conventional, monetary terms. In those cases where the homemaker is part of the workforce, the component of loss of domestic care shall be in addition to the monthly income as may be proved before the Tribunal/Courts.

21. The distinction that we are attempting to draw becomes more pronounced and justified when consortium as awarded under ***Pranay Sethi*** is understood in a context of the two judgments discussed below:

(i) ***Rajesh v. Rajbir Singh***[16]**,**

> **"17.** … In legal parlance, "consortium" is the right of the spouse to the company, care, help, comfort, guidance, society, solace, affection and sexual relations with his or her mate. That non-pecuniary head of damages has not been properly understood by our courts. The loss of companionship, love, care and protection, etc., the spouse is entitled to get, has to be compensated appropriately. The concept of non-pecuniary damage for loss of consortium is one of the major heads of award of compensation in other parts of the world more particularly in the United

[16] (2013) 9 SCC 54

States of America, Australia, etc. English courts have also recognised the right of a spouse to get compensation even during the period of temporary disablement. By loss of consortium, the courts have made an attempt to compensate the loss of spouse's affection, comfort, solace, companionship, society, assistance, protection, care and sexual relations during the future years. Unlike the compensation awarded in other countries and other jurisdictions, since the legal heirs are otherwise adequately compensated for the pecuniary loss, it would not be proper to award a major amount under this head. …"

(ii) ***Magma General Insurance Co. Ltd. v. Nanu Ram***[17]**,:**

"22. Consortium is a special prism reflecting changing norms about the status and worth of actual relationships. Modern jurisdictions world-over have recognised that the value of a child's consortium far exceeds the economic value of the compensation awarded in the case of the death of a child. Most jurisdictions therefore permit parents to be awarded compensation under loss of consortium on the death of a child. The amount awarded to the parents is a compensation for loss of the love, affection, care and companionship of the deceased child."

It is clear from the above extracts that '*consortium*' deals almost exclusively with the emotional aspects of loss that have to be endured by the family members of the deceased homemaker while not giving adequate, if any, attention to the contribution of the homemaker within the house from an economic lens. It is as such, in the spirit of the Constitution particularly preambular values that inform our interpretation that we hereby take a step against the systematic undervaluing of the work performed by women.

Application to the present facts

22. Turning back to the facts of this case, the deceased's claimed income of Rs.3000/- per month from knitting and stitching, in the facts and circumstances of this case is a mere statement without any backing. As such, we take this to a case where the *homemaker* has no income in monetary terms and pursuant to the above discussion, the compensation under the head loss of domestic care stands

[17] (2018) 18 SCC 130

in as monthly income. Thus, the compensation payable to the claimants is as under:

Compensation Heads	As per law
Loss of domestic care/Monthly Income	30,000
Yearly Income	3,60,000
Future Prospects (Age-35 years)	40% of 3,60,000 =1,44,000/-
	3,60,000+1,44,000 =5,04,000
Multiplier (16)	5,04,000 X 16= 80,64,000/-
Deduction (1/4)	1/4 X 80,64,000= 20,16,000/-
	60,48,000/-
Loss of Consortium	48,400 X 4 = 1,93,600
Loss of Estate	18,150
Funeral Expenses	18,150
Total	**62,77,900**/-

The award is to be met by the respondent-Insurance Company. The interest rates and conditions as awarded and stipulated by the High Court remain unchanged.

DIRECTIONS

23. Considering the issues that have arisen in this appeal, we issue following directions:

23.1 Although the delay in this case was somewhat explained by circumstances beyond human control, a perusal of the list of cases reproduced in para 9 of this judgment hereto reveals that delay is a repeated occurrence. An analysis of the data gathered in terms of the orders passed in appeal by this Court, reveals that the average pendency in the High Courts is approximately 8 years and before the Tribunals the same is approximately 6 years. Numerous reasons can be ascribed for this situation. We need not get into specifics, but we may only observe from our own experiences that the pendency before the Tribunals if often attributable to the fact that bare claim petitions are filed without the requisite documents/proof to back up the claim that has been demanded. Naturally, adjournments would be sought before the Tribunals to furnish such documents as such we direct that all those heads such as those illustrated below, when claimed shall be accompanied by proof, *inter-alia*, as enumerated below in so far as applicable, by the claimants:

I. *Age is an absolute essential factor in determination of compensation. Official proof of Date of Birth excluding Aadhar Card, be annexed.*

II. *In a case of disability, certificate in that regard issued by a competent doctor expressly recording the percentage of disability suffered be attached as also, the opinion of the said doctor regarding functional disability if any.*

III. *If a particular income is claimed and ITRs/salary slips issued by employer under Stamp and seal/ certificate of salary*

issued by employer under Stamp and seal are available, they must necessarily be filed.

IV. If compensation is claimed under the head of medical expenses, bills duly attested by the competent authority of the clinic/hospital/nursing homes be attached.

V. If attendant charges are claimed and such a person is already in employment, a notarized affidavit, disclosing salary paid to them, per month, be appended.

23.2 The Motor Vehicles Act,1988 to state the obvious, is a beneficial legislation aimed at providing just and fair compensation. Both of these salutary values are denuded by long pendency. The table *supra* presents numerous examples where petitions have remained pending for years on appeal. As such:

I. The learned Chief Justices of the High Courts are requested to issue necessary directions to have matters that have remained pending for the longest amount of time, listed according to the date of institution of the appeal, before the appropriate benches. The average taken for such purposes is any case that has remained pending for more than four years. For clarity, it may be stated that if matter 'a' has been pending for eight and a half years and 'b' has been pending for four years, 'a' will be listed first.

II. Having taken stock of the number of cases pending in the respective High Courts, it may be determined by the learned Chief Justices in their wisdom whether number of benches with the MACT compensation roster need to be increased or not.

23.3 Delay in expeditious disposal of cases is not only a feature at the High Court level but also at the Tribunal. It is our hope that, by virtue of the directions issued above to append necessary documents, delay to some extent on account of adjournments for such purposes would be curbed. It is noted that Section 169 of the Act provides the option to the Tribunals to adopt a '*summary procedure as it thinks fit*'. True it is that adopting a summary procedure is not a compulsion, it would be in the favour of expediency if reasons are recorded by the Tribunals for not choosing to adopt such procedure. If it is adopted where possible it would go a long way in ensuring that the deserved compensation reaches the claimants as soon as possible. The same be strictly enforced.

23.4 At the cost of repetition, it is stated that in a case of death involving homemaker, compensation in terms of the above discussion, the head of '*loss of domestic care'* be added.

23.5 Heads as stipulated by ***Pranay Sethi*** (supra) be strictly adhered to including the 10% enhancement every three years, implemented for the heads of loss of consortium, loss of estate and funeral expenses.

23.6 It is our hope that the word housewife/homemaker, is in future, in recognition of the contributions of the lady of the house is now used as "Nation Builder".

24. The appeal is allowed. Let a copy of this judgment be sent to the Registrars General of all the High Courts to be placed before the learned Chief Justices to solicit necessary orders as also to be sent for onward compliance to the Tribunals.

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

…….J.
(SANJAY KAROL)

…….J.
(NONGMEIKAPAM KOTISWAR SINGH)

New Delhi;
June 11, 2026