

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.10467 OF 2017

M/s. Future General India Insurance
Co. Ltd.

Appellant(s)

Versus

Smt. Bala Rani and Others

Respondent(s)

O R D E R

Heard learned counsel for the parties.

The only question that arises for consideration in this appeal is grant of 100% increase towards future prospects by the High Court in the peculiar facts of the present case.

Learned counsel for the appellant has invited our attention to the decisions in National Insurance Company Limited Vs. Pranay Sethi and Others 2017 (13) SCALE 12 and Sarla Verma (Smt.) and Others vs. Delhi Transport Corporation and Another (2009) 6 SCC 121, to contend that the increase of 100% towards future prospects is impermissible. Learned counsel, however, is not in a position to point out from the said decisions that in exceptional cases for special reasons and circumstances to be recorded, the increase towards future

prospects cannot exceed 50%.

On a perusal of paragraph 5 of the impugned judgment, we find that the High Court has considered the factual position and compared the substantial rise in salary of the contemporary of the deceased during the relevant period. The said fact being indisputable and a relevant fact has been rightly taken into account by the High Court. In our opinion, the view taken by the High Court in the peculiar facts and circumstances of the present case, does not warrant any interference. Hence, the appeal stands dismissed.

.....J.
[A.M. Khanwilkar

.....J.
[Navin Sinha]

New Delhi,
May 22, 2018.

ITEM NO.30

COURT NO.4

SECTION XIV

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No.10467/2017

FUTURE GENERAL INDIA INSURANCE CO. LTD

Appellant(s)

VERSUS

BALA RANI & ORS.

Respondent(s)

Date : 22-05-2018 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.M. KHANWILKAR
HON'BLE MR. JUSTICE NAVIN SINHA
(VACATION BENCH)

For Appellant(s) Mr. Rajeev Maheshwaranand Roy, AOR
Mr. P. Srinivasan, Adv.

For Respondent(s) Mr. J.B. Ravi, Adv.
Ms. J. Vijetha, Adv.
Mr. Balaji Srinivasan, AOR

UPON hearing the counsel the Court made the following
O R D E R

The appeal is dismissed in terms of the signed
order.

(Chetan Kumar)
A.R.-cum-P.S.

(Kailash Chander)
Court Master
(Signed order is placed on the file)