

Hitesh Nagjibhai Patel Vs. Bababhai Nagjibhairabari & Anr

Civil Appeal No. 10278 of 2025

(Extract of judgment of Hon'ble Supreme Court)

14.....It is now a well-entrenched and consistently reiterated principle of law that a minor child who suffers death or permanent disability in a motor vehicle accident, cannot be placed in the same category as a non-earning individual for the purposes of assessing the amount of compensation because the child was not engaged in gainful employment at the time of the accident. In such a case, the computation of compensation under the head of loss of income ought to be made by adopting, at the very least, the minimum wages payable to a skilled workman as notified for the relevant period in the respective State where the cause of action arises.