



**IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION**

Miscellaneous Application No.748 of 2026

in

Civil Appeal No.5706 of 2025

M. Sabitha and Ors.

...Appellants

Versus

Brahma Swamulu and Anr.

...Respondents

ORDER

The above MA is filed bringing to our notice that the judgment in the appeal filed by the claimants omitted to apportion the amounts between the claimants; the wife, two children and the mother of the deceased, especially in the context of the mother having expired during the course of the pendency of the appeal before this Court, who is survived by four sons and a daughter who were also impleaded in the appeal.

2. It is also pointed out that the High Court had directed 50% of the amounts to be disbursed and in the context of both the children having attained majority, the entire amounts be directed to be released.

3. We see from the order of the High Court that the award of Rs.17,42,875/- was apportioned amongst the four appellants. Considering the appeal we had enhanced the total award amounts to Rs.36,38,750/-, which we apportion as has been done by the High Court in the following manner:

Appellants	Amount (In Rs.)
Appellant No.1	Rs.15,58,750/-
Appellant No.2	Rs.8,20,000/-
Appellant No.3	Rs.8,20,000/-
Appellant No.4	Rs.4,40,000/-
Total	Rs.36,38,750/-

4. The 4th appellant is survived by six children and the family of the deceased son and hence the amounts now conceded to the mother, constituting her estate has to be apportioned between the legal heirs. It is admitted that the amount of Rs.2,00,000/- as granted to the 4th appellant by the High Court has been withdrawn by her in her lifetime. Hence out of the enhanced amount of Rs.2,40,000/- the appellant Nos.2 and 3, would be entitled to one share being the children of the deceased son of the 4th appellant. The balance Rs.2,00,000/- shall be apportioned amongst the five remaining legal representatives, the sons and the daughter of the 4th appellant in equal measure; @ Rs.40,000/- each, which they

would be entitled to seek from the Tribunal, wherein the amount shall be deposited within two months from today with interest @7% per annum as directed by the High Court.

5. As far as the amounts due to the appellants 1 to 3, the balance amounts shall be disbursed/deposited with interest @7% as directed by the High Court within two months. We clarify that the amounts due to the appellants 2 & 3, as shown in the tabular form shall be enhanced by Rs.20,000/ each being the due share of the estate of their deceased grand-mother.

6. Considering the fact that the accident was of the year 2010 and both the children of the deceased have now attained majority, we are of the opinion that the entire amounts shall be disbursed to the appellant Nos.1 to 3 and the legal representatives of the appellant No.4 as directed hereinabove.

7. The M.A. is allowed in the aforestated terms.

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

..... J.
(J.B. PARDIWALA)

..... J.
(K. VINOD CHANDRAN)

NEW DELHI
JULY 13, 2026