

0#

C.A.No. 6574 OF 2001

.UP 10 2; Draft, smtst; -n -PA4 -dFX-NORMAL -y -e; dumbp

L.....T.....T.....T.....T.....T.....T.....T.....T.....T.....T.....R

ITEM NO.106

COURT NO. 1

SECTION XIIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No.6574 of 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCCCCCC

K. Janardhan Reddy and Ors. ... Appellant (s)

Vs.

J. Varalakshmi and Ors. ... Respondent (s)

(With office report)

Date: 23-01-2003 This/These matter(s) was/were called on for
hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE S.B. SINHA
HON'BLE DR. JUSTICE AR. LAKSHMANAN

For appellant (s) Mr. P Venkat Reddy, Adv.
for Mr. G Prabhakar, Adv.

For respondent (s) Mr. AK Kaul, Adv.
No. 3 for Mr. Anil Kumar Jha, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
Heard counsel for few minutes.

The appeal is disposed of. There shall be no order
as to costs.

.SP1

(Alka Dudeja)
Court Master

(S. Krishnan)
Court Master

Signed order is placed on the file.

.PA

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No.6574 of 2001@@
CCCCCCCCCCCCCCCCCCCCCCCCCCCC

K. Janardhan Reddy and Ors. ... Appellant (s)

Vs.

J. Varalakshmi and Ors. ... Respondent (s)

O R D E R@@
CCCCCCCC

.....L.....I.....T.....T.....T.....T.....T.....J
.SP2

One K. Chandershekar Reddy, aged 27 years and an Engineering Graduate, son of appellant Nos. 1 and 2 herein, died in a motor accident on 20th May, 1993. At the time of accident, the age of the mother was 48 years and the father was 54 years of age. The parents filed a claim petition before the Motor Accident Claims Tribunal (hereinafter referred to as 'the Tribunal'). The Tribunal awarded a sum of Rs.1,29,600/-. Aggrieved, the appellants preferred an appeal before the High Court. The High Court held that the Tribunal, however, did not grant additional sum of Rs.15,000/- under the head of "loss to the Estate" and thus awarded an additional sum of Rs.15,000/- under the said head. Still not satisfied, the appellants have filed the present appeal.

We have heard learned counsel for the parties.
...2/-

-2-

Seeing the facts and circumstances of the case, we are of the view that the mother being a class one heir and was of 48 years at the time of accident, is entitled to a total sum of Rupees two lacs besides Rs.15,000/-. It is stated that a sum of Rs.15,29,600/- has already been paid to the appellants. If it is so the balance amount shall be deposited by the insurer within a period of eight weeks' from today before the Tribunal, which the mother of the deceased may withdraw.

With the aforesaid modification, the appeal stands disposed of. There shall be no order as to costs.

.....L.....I.....T.....T..T....T.....T.....T.....J
.SP1

.....CJI.@@
BBBBBBBBBBBBBBBBBBBBBBBB

.....J.@@
BBBBBBBBBBBBBBBBBBBBBBBB
(S.B. Sinha)@@
BBBBBBBBBBBBBB

.....J.@@
BBBBBBBBBBBBBBBBBBBBBBBB
(AR. Lakshmanan) @@
BBBBBBBBBBBBBBBBBB

New Delhi,
January 23, 2003.