

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1107 OF 2010

LALPARI DEVI AND ORS. . . APPELLANT(S)

VERSUS

MUNI RAI AND ANR. . . RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Jharkhand at Ranchi in M.A.No.109 of 1998, dated 14.6.2006, whereby and whereunder the High Court has dismissed the appeal filed by the present appellants.

2. The appellants/claimants are the family members of the deceased, who met with an accident and succumbed to his injuries. On the claim made by the appellants/claimants, the Vth A.J.C.-cum-Motor Accident Claims Tribunal, Ranchi (for short, 'the Tribunal') had awarded a compensation of Rs.15,000/- fastening liability on the insurance company.

3. Being aggrieved by the compensation so awarded by the Tribunal, the appellants/ claimants preferred appeal

before the High Court. The High Court, by its impugned judgment and order, has dismissed the appeal filed by the appellants herein. Aggrieved by the judgment and order passed by the High Court, the appellants/claimants are before us in this appeal.

4. We have heard learned counsel for the parties to the *lis*.

5. After going through the judgments and orders passed by the Tribunal as well as the High Court and keeping in view the peculiar facts and circumstances of the case, we are of the opinion that the compensation awarded by the Tribunal be further enhanced by another sum of Rs.3,50,000/- without any interest.

6. Accordingly, while allowing this appeal, we modify the judgment and order passed by the Tribunal. The appellants/claimants are now entitled for a sum of Rs.3,50,000/- over and above the compensation so awarded by the Tribunal without any interest.

7. We clarify that the compensation shall be paid by the respondent No.2-Assurance Company as expeditiously as possible at any rate within a period of six weeks from

today, without any deductions whatsoever with liberty to recover the same from the owner of the vehicle, if he is not dead.

Ordered accordingly.

.....CJI.
(H.L. DATTU)

.....J.
(ARUN MISHRA)

NEW DELHI,
OCTOBER 07, 2015.

ITEM NO.35

COURT NO.1

SECTION XVII

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(s). 1107/2010

LALPARI DEVI & ORS.

Appellant(s)

VERSUS

MUNI RAI & ANR.

Respondent(s)

(with interim relief and office report)

Date : 07/10/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRAFor Appellant(s) Ms.Nandini Sen, Adv.
For Mr. Deba Prasad Mukherjee, Adv.

For Respondent(s) Mr.S.L.Gupta, Adv.

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

Mr.S.L.Gupta, learned counsel, is directed to take notice on behalf of respondent no.2 the New India Assurance company. The company shall pay the requisite professional fee of the counsel.

The Civil Appeal is allowed, in terms of the signed order.

Pending application(s), if any, is/are disposed of.

(G.V.Ramana)
AR-cum-PS

(Signed order is placed on the file)

(Vinod Kulvi)
Asstt.Registrar