

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3697 OF 2015
(Arising out of SLP(C) No.13666 of 2013)

MEENAKSHI & ANR. . . APPELLANT(S)

VERSUS

BAJAJ ALLIANZ GENERAL
INSURANCE CO. LTD. & ANR. . . RESPONDENT(S)

O R D E R

1. Leave granted.

2. This appeal is directed against the judgment and order passed by the High Court of Delhi at New Delhi in MAC. App. No.1061 of 2011, dated 30.05.2012.

3. The claimants are the family members of the deceased who met with an accident and succumbed to his injuries. On the claim made by the claimants, Learned Judge, Motor Accident Claims Tribunal (Outer-I), Rohini, Delhi, (for short, "the Tribunal") had awarded

Signature Not Verified

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a compensation of Rs.29,31,196/-.

NEETU KHAJURIA
Date: 2015.04.18
10:21:20 IST
Reason:

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4. Being aggrieved by the compensation so awarded by the Tribunal, the insurance company preferred appeal before the High Court. The High Court, by its impugned judgment and order, has allowed the appeal filed by the insurance company and reduced the compensation awarded by the Tribunal from Rs.29,31,196/- to Rs.22,07,899/-.

5. Aggrieved by the judgment and order passed

by the High Court the claimants are before us.

6. Heard learned counsel for the parties to the lis.

7. After carefully going through the impugned judgment and order passed by the High Court as well as the other material available on record and in view of the peculiar facts and circumstances of the case, we are of the opinion that the High Court was not justified in reducing the compensation.

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8. Accordingly, we set aside the order passed by the High Court and restore the order passed by the Tribunal.

9. The Insurance Company is granted six weeks' time from today to pay the difference of amount.

10. The Civil Appeal is disposed of, accordingly.

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

.....J.
(ARUN MISHRA)

NEW DELHI,
APRIL 13, 2015.

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ITEM NO.56

COURT NO.1

SECTION XIV

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

Petition(s) for Special Leave to Appeal (C) No(s).13666/2013

(Arising out of impugned final judgment and order dated 30/05/2012 in MACAP No. 1061/2011 passed by the High Court of Delhi at New Delhi)

MEENAKSHI & ANR.

Petitioner(s)

VERSUS

BAJAJ ALLIANZ GENERAL
INSU.CO.LTD.& ANR.

Respondent(s)

(With prayer for interim relief and office report)

Date : 13/04/2015 This petition was called
on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Manoj R. Sinha, Adv.
 Mr. S.N.Parashar, Adv.
 Mr. T. Mahipal, Adv.

For Respondent(s) Ms. Suman Bagga, Adv.
 For Mr. Chander Shekhar Ashri, Adv.

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

Leave granted.
The appeal is disposed of in terms of the
signed order.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file.)