

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 187 OF 2014
(Arising out of SLP(C) No. 17412 of 2013)

|KALAWATI & ORS.

|.. APPELLANTS |

Versus

|RAJESH & ORS.

|.. RESPONDENTS |

O R D E R

1. The respondents, though served remained unrepresented.
2. Leave granted.
3. This appeal is directed against the judgment and order passed by the High Court of Madhya Pradesh at Indore in Miscellaneous Appeal No. 2986 of 2010, dated 20.07.2012.
4. The appellants/claimants are the family members of the deceased who met with an accident and succumbed to his injuries. On the claim petition filed by the appellants/claimants, the Motor Accidents Claims Tribunal, Mandsor (for short, 'the Tribunal') had awarded a compensation of Rs.67,000/- from the date of filing of the petition.
5. Being aggrieved by the award so passed by the Tribunal, the appellants/claimants preferred appeal before the High Court. The High Court by its impugned judgment and order while disposing of the appeal has enhanced the compensation so awarded by the Tribunal from Rs.67,000/- to Rs.4,65,000/- with interest thereon. Aggrieved by the order so passed by the High Court the appellants/claimants are before us in this civil appeal.
6. Heard learned counsel for the parties to the lis.
7. After carefully going through the judgment(s) and order(s) 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 High Court be further enhanced by another sum of Rs.3,00,000/-.
8. Accordingly, we allow this appeal and modify the judgment and order passed by the High Court. The appellant/claimant are now entitled for a sum of Rs.3,00,000/- over and above the compensation so awarded by the High Court with an interest at the rate of 6 per cent on the enhanced amount from the date of order passed by the Tribunal. The compensation so enhanced by us shall be paid after deducting the amount already paid, if any.
9. The Civil Appeal is disposed of accordingly.

Ordered accordingly.

.....J.
[H. L. DATTU]

.....J.
[DIPAK MISRA]

.....J.
[S.A. BOBDE]

NEW DELHI;
JANUARY 07, 2014.

ITEM NO.14

COURT NO.3

SECTION IVA

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

Petition(s) for Special Leave to Appeal (Civil) No(s).17412/2013

(From the judgement and order dated 20/07/2012 in MA No.2986/2010 of The
HIGH COURT OF M.P AT INDORE)

KALAWATI & ORS.

Petitioner(s)

VERSUS

RAJESH & ORS.

Respondent(s)

Date: 07/01/2014 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE DIPAK MISRA
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Mr. Raj Kamal, Adv.
Mr. V.K. Sidharthan, Adv.

For Respondent(s)

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

The respondents, though served remained unrepresented.

Leave granted.

The civil appeal is disposed of in terms of the signed order.

| [Charanjeet Kaur] | | [Vinod Kulvi] |
| Court Master | | Asstt. Registrar |

[Signed order is placed on the file]