

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 8403-8404 OF 2015
(Arising out of SLP(C) No.14891-14892/2013)

ASHU SONI ETC. .. APPELLANT(S)
VERSUS
BASANT SONI & ORS. .. RESPONDENT(S)

O R D E R

1. Leave granted.
2. These appeals are directed against the judgment and order passed by the High Court of Madhya Pradesh at Jabalpur in Miscellaneous Appeal Nos. 2080 and 2082 of 2011, dated 04.02.2013.
3. The appellants/claimants met with an accident and sustained grievous injuries. On the claim petitions filed by both the appellants/claimants, the Additional Motor Accident Claims Tribunal, Pipariya District, Hoshangabad, Madhya Pradesh, (for short, "the Tribunal") had awarded a compensation of

Rs.2,34,637/- in respect of appellant/claimant-Ashu Soni and Rs.1,36,000/- in respect of appellant/claimant-Jatin, along with interest at the rate of 6 percent from the date of filing of the petitions.

4. Being aggrieved by the award so passed by the Tribunal, the insurance company as well as appellant(s)/claimant(s) preferred appeals before the High Court. The High Court by the impugned judgment(s) and order(s) has disposed of the appeal of the Insurance company directing to recover the amount of compensation from the owner of the vehicle and enhanced the compensation in respect of the appellant(s)/claimant(s) by Rs.25,000/- over and above the compensation awarded by the Tribunal. Aggrieved by the orders so passed by the High Court the appellants/claimants are before us in these Civil Appeals.

5. Heard learned counsel for the parties to the *lis*.

6. 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.2,00,000/- in respect of appellant/claimant-Ashu and Rs.1,00,000/- in respect of appellant/claimant-Jatin.

7. Accordingly, while allowing these appeals we modify the judgment(s) and order(s) passed by the High Court. The appellant/claimant-Ashu is now entitled for an enhanced amount of Rs.2,00,000/- and appellant/claimant-Jatin is now entitled for an enhanced amount of Rs.1,00,000/- over and above the compensation awarded by the High Court with interest at the rate of 6 per cent on the enhanced amount from

the date of order passed by the High Court. The compensation so enhanced by us shall be paid after deducting the amount already paid, if any.

8. The Judgment(s) and Order(s) passed by the High Court remained undisturbed in all other respects.

9. The Civil Appeals are disposed of accordingly.

Ordered accordingly.

.....CJI.
[H.L. DATTU]

.....J.
[ARUN MISHRA]

NEW DELHI;
OCTOBER 08,2015.

ITEM NO.2

COURT NO.1

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

Petitions for Special Leave to Appeal (C) Nos. 14891-14892/2013

(Arising out of impugned final judgment and order dated
04/02/2013 in MA No. 2080/2011, 04/02/2013 in MA No. 2082/2011
passed by the High Court Of M.p At Jabalpur)

ASHU SONI ETC.

Petitioner(s)

VERSUS

BASANT SONI & ORS.

Respondent(s)

WITH

SLP(C) No. 39048-39055/2013

(With appln.(s) for deletion of the name of respondent and
exemption from filing c/c of the impugned order and exemption
from filing O.T. and Office Report)

Date : 08/10/2015 These petitions were called on
for hearing today.

CORAM :

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

For Petitioner(s) Mr. Shiv Sagar Tiwari, Adv.
Ms. Aakanksha Tiwari, Adv.

For Petitioner(s)/ Mr. Suryanarayan Singh, AAG
Respondent(s) Ms. Pragati Neekhara, Adv.

For Respondent(s)

Ms. Prerna Mehta, Adv.

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

SLP(C) NO. 14891-14892 of 2013

Leave granted.

The appeals are allowed in terms of the signed order.

As a sequel to above order, all pending applications, if
any, are disposed of.

SLP(C) Nos. 39048-39055 of 2013

Dismissed.

As a sequel to above order, all pending applications, if any, are disposed of.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]