

THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.8455 OF 2015
(Arising out of SLP (C) No.18556 of 2013)

RAJ KUMAR . . . APPELLANT(S)

VERSUS

NARESH KUMAR & ORS . . . 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 M.A.C. Appeal No.508 of 2004, dated 30.08.2012.

3. The appellant/claimant, met with an accident and received grievous injuries. On the claim made by the appellant/claimant, the Motor Accident Claims Tribunal, Delhi (for short, "the Tribunal") had awarded a compensation of Rs.2,45,930/- along with interest at the rate of 9% per annum.

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NEETU KHAJURIA
Date: 2015.10.17
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Reason:

2

4. Being aggrieved by the compensation so awarded by the Tribunal, the appellant/claimant preferred an appeal before the High Court. The High Court, by its impugned judgment and order has allowed the appeal filed by the appellant/claimant and modified the award passed by the Tribunal by enhancing the compensation from Rs.2,45,930/- to Rs.4,20,512/- with interest at the rate of 7.5% per annum on the enhanced compensation amount of

Rs.1,74,582/-.

5. Aggrieved by the compensation so awarded by the High Court the appellant/claimant is before us.

6. We have heard learned counsel for the parties to the lis.

7. After carefully going through the impugned judgment and order passed by the High Court and the Tribunal as well as the material available on record and in view of the peculiar facts and circumstances of the case, we deem it appropriate to further

enhance the compensation by Rs.3,50,000/- with interest at the rate of 6% per annum from the date of the order passed by the High Court.

8. Accordingly, while allowing this appeal we modify the judgment and order passed by the High Court. The appellant/claimant is now entitled for an enhanced amount of Rs.3,50,000/- over and above the compensation awarded by the High Court along with an 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.

9. The Civil Appeal is disposed of accordingly.

.....CJI.
(H.L. DATTA)

.....J.
(ARUN MISHRA)

NEW DELHI,
OCTOBER 07, 2015.

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).18556/2013

(Arising out of impugned final judgment and order dated
30/08/2012 in MACA No. 508/2004 passed by the High Court of
Delhi at New Delhi)

RAJ KUMAR

Petitioner(s)

VERSUS

NARESH KUMAR & ORS.

Respondent(s)

(with office report)

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

CORAM :

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

For Petitioner(s) Ms. Aruna Mehta, Adv.
Ms. Manjeet Chawla, Adv.
Ms. Sunanda Roy, Adv.

For Respondent(s) Mr. Manish Pratap Singh, Adv.
Dr. Nafis A. Siddiqui, Adv.

Mr. Ranbir Singh Yadav, Adv.
Ms. Anzu K. Varkey, Adv.
Mr. Puranmal Saini, 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.

5

In view of the above, pending
application(s), if any, stand disposed of.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file.)