

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.3968-3970 OF 2010

HARJINDER SINGH

..APPELLANT(S)

VERSUS

KULDIP SINGH AND ORS.

..RESPONDENT(S)

O R D E R

1. These appeals are directed against the judgment and order passed by the High Court of Punjab and Haryana at Chandigarh in F.A.O.Nos.3862, 3863 and 3864 of 2006, dated 29.09.2008, whereby the High Court has allowed F.A.O.Nos.3862 and 3864 of 2007 and dismissed F.A.O.No.3863 of 2006.

2. Shri Vishnu Mehra, learned counsel, is requested to take notice for respondent No.3. He is entitled to the fee under the relevant rules.

3. The appellant/claimant is the husband of the deceased-wife and son who all met with an accident which resulted to the death of his wife and son and injuries on
Signature Not Verified

him.
Digitally signed by
Ramana Venkata Ganti
Date: 2015.10.06

10:44:12 IST
Reason: On the claim made by the appellant/claimant, the

Motor Accident Claims Tribunal, Ferozepur (for short, "the Tribunal"), had awarded a total compensation of

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Rs.3,79,521/- out of which Rs.2,00,000/- was awarded for the death of his wife and Rs.1,50,000/- was awarded for the death of his son and a further amount of Rs.29,521/- was awarded for the injuries sustained by him.

It was further ordered that the amount of compensation be

deposited in the Court within two months failing which respondents will be liable to pay interest at the rate of 6 per cent from the date of the accident till realization of the amount.

4. Being aggrieved by the compensation so awarded by the Tribunal, the appellant preferred appeals before the High Court. The High Court, by its impugned judgment and order, has enhanced the compensation from Rs.2,00,000/- to Rs.4,42,000/- for the death of the wife and from Rs.1,50,000/- to Rs.2,00,000/- for the death of his son, with a further direction that the compensation shall carry interest at the rate of 9 per cent. Aggrieved by the judgment and order passed by the High Court, the appellant is before us, in these appeals, by Special Leave.

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

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6. 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 High Court be further enhanced by another sum of Rs.2,00,000/- in respect of the deceased wife of the appellant and by another sum of Rs.50,000/- in respect of the deceased son of the appellant along with interest at the rate of 6 per cent from the date of the order passed by the High Court.

7. Accordingly, while allowing these appeals, we modify the judgment and order passed by the High Court. The appellant/ claimant is now entitled for a additional sum of Rs.2,00,000/- for the deceased wife and Rs.50,000/- for the deceased son of the appellant over and above the compensation so awarded by the High Court

with interest at the rate of 6 per cent from the date of the order passed by the High Court, without any deductions whatsoever. We confirm the judgment and order passed by the High Court in all other respect.

8. We clarify that the compensation shall be paid by the respondent-insurance company, as expeditiously as possible at any rate within a period of six weeks from today with a rider that it can recover the same from the owner(s) of the vehicle.

Ordered accordingly.

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

.....J.
(ARUN MISHRA)

NEW DELHI,
SEPTEMBER 29, 2015.

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ITEM NO.60 COURT NO.1 SECTION IV

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

Civil Appeal No(s). 3968-3970/2010

HARJINDER SINGH Appellant(s)

VERSUS

KULDIP SINGH & ORS. Respondent(s)

Date : 29/09/2015 These appeals were called on for hearing today.

CORAM :

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

For Appellant(s) Mr.Rajat Sharma, Adv.
Mr.Dinesh Verma, Adv.
Mr.Subhash Bhowmick, Adv.
Dr. Kailash Chand,Adv.

For Respondent(s) Mr.Vishnu Mehra, Adv.

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

The Civil Appeals are allowed, in terms of the

signed order.

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

(G.V.Ramana)

AR-cum-PS

(Signed order is placed on the file)

(Vinod Kulvi)

Asstt.Registrar