

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 13354 OF 2015
(Arising out of SLP(C) No.14254 of 2015)

VIJAYA SANJAY PATIL & ORS. . . . APPELLANT(S)

VERSUS

UNITED INDIA INSURANCE CO. LTD.
& ORS. . . . RESPONDENT(S)

O R D E R

1. Mr. K.K. Bhat, learned counsel, who is present in Court and appears for the Insurance Company is directed to accept notice on behalf of the United India Insurance Company Limited, in this matter.

2. Leave granted.

3. This appeal is directed against the judgment and order passed by the High Court of Bombay at Aurangabad in F.A. No.2743 of 2009, dated 10.02.2014.

4. The appellants/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, the Motor Accident Claims Tribunal, Jalgaon (for short, "the Tribunal") had awarded a compensation of Rs.16,91,412/- along with interest at the rate of 7.5% per annum.

5. Being aggrieved by the compensation so awarded by the Tribunal, the Insurance Company preferred an appeal before the High Court.

6. The High Court, by its impugned judgment and order has allowed the appeal filed by the Insurance Company and reduced the award passed by the Tribunal to Rs.15,22,928/-.

7. Aggrieved by the judgment and order so passed by the High Court the appellants/claimants are before us.

8. We have heard learned counsel for the parties to the *lis*.

9. After carefully going through the impugned judgments(s) and order(s) 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 considered opinion that the High Court was not justified in reducing the amount of compensation.

10. In the result, we allow this appeal, set aside the judgment and order passed by the High Court and restore the order passed by the Tribunal.

11. Insurance Company is directed to settle the professional fees of Mr. K.K. Bhat, learned counsel, at the earliest.

12. The Civil Appeal is disposed of accordingly.

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

.....J.
(ARUN MISHRA)

NEW DELHI,
OCTOBER 29, 2015.

ITEM NO.35

COURT NO.1

SECTION IX

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 (C) No(s). 14254/2015

(Arising out of impugned final judgment and order dated 10/02/2014 in FA No. 2743/2009 passed by the High Court of Bombay at Aurangabad)

VIJAYA SANJAY PATIL & ORS.

Petitioner(s)

VERSUS

UNITED INDIA INSURANCE
CO. LTD. & ORS.

Respondent(s)

Date : 29/10/2015 This petition was called
on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Jatin Zaveri,Adv.

For Respondent(s) Mr. K.K. Bhat,Adv.

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

Leave granted

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

Pending application(s), if any, stand disposed
of.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file)