

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8793 OF 2015
(ARISING OUT OF S.L.P. (C)NO.14204 OF 2014)

VEDMATI SAHU AND ANR . . . APPELLANT(S)

VERSUS

KAMLESH KUMAR MISHRA AND 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 Chhattisgarh at Bilaspur in Misc.Appeal (Civil) No.238 of 2010, dated 09.12.2013, whereby and whereunder the High Court, has enhanced the compensation awarded by the Motor Accident Claims Tribunal (for short 'the Tribunal') from Rs.7,76,100/- to Rs.14,70,720/- with 6% p.a. interest on the enhanced amount from the date of the claim petition.
3. The appellants/claimants are the family members of the deceased, who has met with an

accident and succumbed to his injuries. On the claim made by the appellants/claimants, the Tribunal at Korba, had awarded a compensation of Rs.7,76,100/- with interest at the rate of 6 per cent per annum from the date of petition.

4. Being aggrieved by the compensation so awarded by the Tribunal, the appellants-claimants preferred an appeal before the High Court. The High Court, by its impugned judgment and order, has enhanced the compensation awarded by the Motor Accident Claims Tribunal (for short 'the Tribunal') from Rs.7,76,100/- to Rs.14,70,720/- with 6% p.a. interest on the enhanced amount from the date of the claim petition. Aggrieved by the judgment and order passed by the High Court, the appellants/claimants are before us in this appeal.

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

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/- with interest at the rate of 6 per cent on the enhanced amount from the date of the order passed by the High Court.

7. Accordingly, while allowing this appeal, we modify the judgment and order passed by the High Court. The appellants/claimants are now entitled for a sum of Rs.2,00,000/- over and above the compensation so awarded by the High Court with interest at the rate of 6 per cent on the enhanced amount from the date of the order passed by the High Court.

8. We clarify that the compensation shall be paid by the respondent no.3-insurance company as expeditiously as possible at any rate within a

period of six weeks from today, without any deductions whatsoever.

Ordered accordingly.

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

.....J.
(ARUN MISHRA)

NEW DELHI,
OCTOBER 15, 2015.

ITEM NO.14

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

Petition(s) for Special Leave to Appeal (C) No(s).
14204/2014

(Arising out of impugned final judgment and order dated
09/12/2013 in MA No. 238/2010 passed by the High Court Of
Chhatisgarh At Bilaspur)

VEDMATI SAHU & ANR

Petitioner(s)

VERSUS

KAMLESH KUMAR MISHRA & ORS

Respondent(s)

(with appln. (s) for exemption from filing O.T.)

Date : 15/10/2015 This petition was called on for hearing
today.

CORAM :

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

For Petitioner(s) Mr. Akshat Shrivastava, Adv.

For Respondent(s) Ms. Neerja Sachdeva, Adv.
Ms. Meera Mathur, Adv.

UPON hearing the counsel the Court made the
following

O R D E R

Leave granted.

The appeal is allowed, in terms of the signed
order.

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

(G.V.Ramana)
AR-cum-PS

(Vinod Kulvi)
Asstt.Registrar

(Signed order is placed on the file)