

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8777 OF 2013
(SPECIAL LEAVE PETITION(C.)NO.13292 OF 2012)

SMT.MEERA JOSHI

APPELLANT

VERSUS

LOKESH MALU & ORS.

RESPONDENTS

O R D E R

1. Leave granted.

2. This appeal by special leave is directed against the judgment and order passed by the High Court of Madhya Pradesh, Bench at Indore in Miscellaneous Appeal No.2782 of 2011, dated 13.12.2011. By the impugned judgment and order, the High Court has modified the award passed by the Motor Accidents Claims Tribunal (for short "the Tribunal") and enhanced the compensation to R.7,97,081/- from Rs. 5,97,081/- and further directed that the enhanced amount of Rs.2,00,000/- will carry interest @ 8% per annum.

3. The Appellant-herein who was the pillion rider on the vehicle Scooty, injured both her legs in an accident, had approached the Tribunal for grant of appropriate compensation. The parties had led their evidence(s) before the Tribunal. The Tribunal, after taking into consideration the evidence(s) so adduced, has quantified the compensation payable to the claimant in a sum of Rs.5,97,081/- with interest accrued thereon.

4. Aggrieved by the order passed by the Tribunal, the appellant-herein had approached the High Court by filing a Miscellaneous Appeal No.2782 of 2011. The High Court, by its impugned judgment and order, has modified the award passed by the Tribunal and enhanced the compensation awarded from Rs. 5,97,081/- to Rs.7,97,081/- and further directed that the enhanced amount of Rs.2,00,000/- will carry interest @ 8% per annum.

5. Learned counsel appearing for the appellant strenuously contends that the compensation awarded by the High Court is meager. He submits that the appellant-herein is a lady who was only 36 years of age at the time of incident.

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

7. We have carefully perused the judgment(s) and order(s) passed by the Tribunal as well as by the High Court. Keeping in view the peculiar facts and circumstances of the case, more particularly, keeping in view the age of the appellant, who was of 36 years at the time of the incident, we allow this appeal and enhance the compensation amount to a lumpsum of Rs.10,00,000 with interest @ 8% per annum from the date of the order of the Tribunal. No costs.

8. The Civil Appeal is disposed of accordingly.

Ordered accordingly.

.....J.
(H.L. DATTU)

.....J.
(M.Y. EQBAL)

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 (Civil) No(s).13292/2012

(From the judgement and order dated 13/12/2011 in MA No.2782/2011 of the
HIGH COURT OF M.P. AT INDORE)

MEERA JOSHI

Petitioner(s)

VERSUS

LOKESH MALU & ORS.

Respondent(s)

(With appln(s) for exemption from filing O.T.,c/delay in filing process
fee)

Date: 27/09/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE M.Y. EQBALFor Petitioner(s) Mr.Ramesh D.Sonvane, Adv.
Mr.Shishir Deshpande, Adv.
Mr.Amit Yadav, Adv.
For Ms. Sujata Kurdukar,Adv.For Respondent(s) Mr.S.L.GUpta, Adv.
Mr.Vikas Chandra, Adv.
Mr.S.S.Gupta, Adv.
For Ms. Shalu Sharma,Adv.UPON hearing counsel the Court made the following
O R D E R

Leave granted.

Civil Appeal is disposed of with no costs, in terms of the signed
order.(G.V.Ramana)
Court Master(Vinod Kulvi)
Asstt.Registrar