

THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8881 OF 2015  
(ARISING OUT OF S.L.P. (C) NO.11949 OF 2014)

NINGAYYA @ NINGAPPA, S/O.NARASANNA ..APPELLANT(S)

VERSUS

THE DIVNL.CONTROLLER, NEKRTC ..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 Karnataka, Circuit Bench at Gulbarga in M.F.A.No.30569 of 2008(MVC), dated 02.03.2010, whereby and whereunder the High Court has allowed the appeal filed by the insurance company and the cross objection filed by the claimant was dismissed thus reducing the compensation awarded by the Motor Accident Claims Tribunal (for short, 'the Tribunal') from Rs.3,54,400/- to Rs.2,31,280/- with interest @ 6% p.a. from the date of the petition.

3. The appellant/claimant has met with an accident and got grievous injuries. On the claim made by the appellant/claimant, the Tribunal at Raichur, had awarded

a compensation of Rs.3,54,400/- with interest at the rate of 6 per cent per annum till the date of petition till the date of deposit of compensation amount before the Court.

4. Being aggrieved by the compensation so awarded by the Tribunal, the respondent-NEKRTC preferred appeal before the High Court. The High Court, by its impugned judgment and order, has allowed the appeal filed by the insurance company and the cross objection filed by the claimant was dismissed thus reducing the compensation awarded by the Motor Accident Claims Tribunal (for short 'the Tribunal') from Rs.3,54,400/- to Rs.2,31,280/- with interest @ 6% p.a. from the date of the 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.1,00,000/- 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 appellant/claimant is now entitled for a sum of Rs.1,00,000/- 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 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 14, 2015.

ITEM NO.42

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). 11949/2014

(Arising out of impugned final judgment and order dated 02/03/2010 in MFA No. 30569/2008 passed by the High Court Of Karnataka At Gulbarga)

NINGYYA @ NINGAPPA

Petitioner(s)

VERSUS

THE DIVISIONAL CONTROLLER, NEKRTC

Respondent(s)

(with appln. (s) for c/delay in filing SLP)

Date : 14/10/2015 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Mr.Manjunath Meled, Adv.  
Mr. Anil Kumar,Adv.

For Respondent(s) Mr. S. N. Bhat,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)