

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. Signature Not Verified

The appellant/claimant has met with an accident

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Ramana Venkata Ganti
Date: 2015.12.16
16:27:31 IST

and Reason: got grievous injuries. On the claim made by the appellant/claimant, the Tribunal at Raichur, had awarded

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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

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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

