

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9913 OF 2013
(Arising out of S.L.P.(C)No.11787 of 2011)

SRI MUNIRAJU

APPELLANT

VERSUS

THE DIVISIONAL MANAGER,
ORIENTAL INSURANCE CO. LTD. & ANR RESPONDENTS

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 at Bangalore in M.F.A. No.4800 of 2008 dated 22.07.2010.

On the claim made by the appellant/claimant, the Motor Accidents Claims Tribunal, Bangalore (for short 'the Tribunal') had awarded a total compensation of Rs.1,34,800/- with interest at the rate of 6 per cent per annum from the date of filing the claim petition.

4. Aggrieved by the compensation so awarded by the Tribunal, the appellant/claimant had preferred an appeal before the High Court. By the impugned judgment and order, the High Court has partly allowed the appeal and enhanced the compensation awarded by the Tribunal from Rs.1,34,800/- to Rs.1,85,200/- along with an interest at the rate of 6 per cent. Aggrieved by the judgment and order passed by the High Court, the appellant/claimant is before us in this civil appeal.

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

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6. After carefully going through the judgment(s) and order(s) passed by the Tribunal as well as by the High Court and in view of the peculiar facts and circumstances of the case, we are of the opinion that the amount of compensation awarded by the High Court needs to be further enhanced by a sum of Rs.1,00,000/-.

7. Accordingly, while allowing this appeal, we modify the judgment and order passed by the High Court. The appellant/claimant is now entitled for compensation of Rs.1,00,000/- over and above the compensation awarded by the High Court, after deducting the amount already paid, if any, with interest at the rate of 6 per cent from the date of the order passed by the Tribunal.

8. The Civil Appeal is disposed of accordingly.

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

.....J.
(RANJAN GOGOI)

NEW DELHI;
OCTOBER 30, 2013
ITEM NO.21

COURT NO.3

SECTION IVA

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).11787/2011
(From the judgment and final order dated 22.7.2010 passed by the High Court
of Karnataka at Bangalore in M.F.A.No.4800 of 2008(M.V.)

MUNIRAJU Petitioner(s)

VERSUS

DIVNL.MGR.ORIENTAL INS.CO.LTD.& ANR Respondent(s)

(With office report)

Date: 30/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. V.N. Raghupathy,Adv.

For Respondent(s) Mr.Animesh Sinha, Adv.
Mr. Rajesh Kumar,Adv.

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

Leave granted.

The Civil Appeal is allowed and disposed of, in terms of the signed
order.

(G.V.Ramana)
Court Master
(signed order is placed pn the file)

(Vinod Kulvi)
Asstt.Registrar