

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6374 OF 2001

KRISHNA

Appellant (s)

VERSUS

N. NARASINGA RAO & ANR.

Respondent(s)

ORDER

The appellant aggrieved by the inadequate compensation of Rs.1,20,000/- has approached this Court by way of special leave petition. This Court on 10.9.2001 granted leave.

Brief facts which are necessary for the disposal of this appeal are recapitulated as under:

The accident had occurred on 12.9.1994 at about 7.00 A.M.

near Ghosia Hospital, Ramanagaram when the appellant

herein was proceeding towards Voderahalli from Ramanagaram

Mysore road involving the vehicle lorry bearing registration No. MED-

5111 which resulted in serious injuries to the appellant. As a matter of

fact his right leg had to be amputated above the knee level. The

accident had occurred because of the negligence of the driver of the

lorry. This finding has been affirmed by the High court in the

impugned judgment.

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The Tribunal after appreciating the entire evidence granted a

sum of Rs.50,000/- towards physical disability, Rs.35,000/- towards

injuries pain and sufferings and another sum of Rs.35,000/- towards

medical treatment and medical expenses. Thus, in all it granted

Rs.1,20,000/- as total compensation with interest at 6% p.a. from the

date of petition till the date of realization. The High Court in the

impugned judgment mentioned that without any rational the Tribunal

granted Rs.50,000/- on account of disability on a rough and ready

method. The High Court observed that the amount granted was on

the higher side. There is no basis for the findings of the High Court

on this issue.

For Respondent(s) Mr. Santosh Paul, Adv.
 Mr. K.K. Bhat, Adv.
 Mr. Arvind Gupta, Adv.
 Mr. Sriharsh N. Bundela, Adv.
Mr. M.J. Paul, Adv.

UPON hearing counsel the Court made the following
ORDER

The appeal is disposed of in terms of the signed order.

(K.K. Chawla)
AR-Cum-PS
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(Neeru Bala Vij)
Court Master

[Signed order is placed on the file]