

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7225 OF 2014  
(Arising out of SLP(C) No. 29967 of 2013)

CHANDRAPAL SINGH .. APPELLANT  
Versus  
KAILASH & ORS. .. 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 Madhya Pradesh at Jabalpur in Miscellaneous Appeal No. 4435 of 2010, dated 08.05.2012.

3. The appellant/claimant sustained grievous injuries in the accident. On the claim petition filed by the appellant/claimant, the Fourth Upper Motor Accident Claims Tribunal, Sagar, District Sagar, (for short, "the Tribunal") had awarded a compensation of Rs.1,88,000/- along with interest at the rate of 7 percent from the date of filing of the

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petition.

Digitally signed by  
Charanjeet Kaur  
Date: 2014.08.05  
16:55:23 IST  
Reason:

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4. Being aggrieved by the award so passed by the Tribunal, the appellant/claimant preferred appeal before the High Court. The High Court by the impugned judgment and order has enhanced the compensation by Rs.1,05,440/- along with interest at the rate of 7.5 per cent over and above the compensation awarded by the Tribunal from the date of filing of the petition.

Aggrieved by the order so 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.

6. After carefully going through the judgment(s) and order(s) 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.50,000/-.

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7. Accordingly, while allowing this appeal we modify the judgment and order passed by the High Court. The appellant/claimant is now entitled for an enhanced amount of Rs.50,000/- over and above the compensation awarded by the High Court with an interest at the rate of 6 per cent on the enhanced amount from the date of order passed by the High Court. The compensation so awarded by us is to be paid by Respondent No.3 - New India Insurance Company. The compensation so enhanced by us shall be paid after deducting the amount already paid, if any.

8. The Civil Appeal is disposed of accordingly.

Ordered accordingly.

.....J.  
[ H.L. DATTU ]

.....J.  
[ PINAKI CHANDRA GHOSE ]

.....J.  
[ ARUN MISHRA ]

NEW DELHI;  
AUGUST 04, 2014  
ITEM NO.15

COURT NO.2

SECTION IVA

Petition(s) for Special Leave to Appeal (C) No(s). 29967/2013

(Arising out of impugned final judgment and order dated 08/05/2012  
in MA No. 4435/2010 passed by the High Court Of M.p At Jabalpur)

CHANDRAPAL SINGH

Petitioner(s)

VERSUS

KAILASH & ORS.

Respondent(s)

(With appln. (s) for exemption from filing O.T.)

Date : 04/08/2014 This petition was called on  
for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE PINAKI CHANDRA GHOSE  
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Varun Thakur, adv.  
Ms. Shraddha Saran, Adv.  
Mr. Varinder Kumar Sharma, Adv.

For Respondent(s) Mr. Mohan Babu Agarwal, Adv.  
Mr. Chatanya siddharth, Adv.  
for Mr. Debasis Misra, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Leave granted.

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

[ Charanjeet Kaur ]  
Court Master

[ Vinod Kulvi ]  
Asstt. Registrar

[ Signed order is placed on the file ]