

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10460 OF 2013  
(@ SPECIAL LEAVE PETITION (C) NO.21706 OF 2013)

U.RENGARAJULU & ORS.

...APPELLANTS

VERSUS

M/S.ICICI LOMBARD GENERAL  
INSURANCE CO. LTD. & 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 judicature at Madras in Civil Miscellaneous Appeal No.1905 of 2010, dated 06.02.2012.

3. The appellants/claimants, are the family members of the deceased, who met with an accident and succumbed to his injuries. He was an employee in the Neyveli Lignite Corporation Ltd. On the claim made by the appellants/claimants, the Tribunal had awarded a compensation of Rs.13,51,600/- with interest at the rate of 7.5 per cent per annum from the date of the petition till its realization and held insurance company and the owners of the vehicle jointly and severally liable to pay the compensation.

4. Being aggrieved by the order so passed by the Tribunal, the insurance company preferred an appeal before the High Court. By the impugned judgment and order, the High Court while allowing the appeal filed by the respondent-insurance company has reduced the compensation awarded by the Motor Accidents Claims Tribunal (for short 'the Tribunal') from Rs.13,51,600/- to Rs.8,58,000/-. Aggrieved by the judgment and order passed by the High Court, the appellants/claimants are 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 by the High Court and in view of the peculiar facts and circumstances of the case, we are of the opinion that the judgment and order passed by the High Court can not be sustained.

7. Accordingly, while allowing this appeal, we set aside the judgment and order passed by the High Court and restore the order passed by the Tribunal. However, the question of law raised is kept open to be agitated in an appropriate case.

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

.....J.  
(RANJANA PRAKASH DESAI)

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).21706/2013

(From the judgement and order dated 06/02/2012 in CMA No.1905/2010 of the  
HIGH COURT OF JUDICATURE AT MADRAS)

U. RENGARAJULU &amp; ORS. Petitioner(s)

VERSUS

M/S ICICI LOMBARD GENERAL &amp; ORS. Respondent(s)

(With prayer for interim relief and office report )

Date: 20/11/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MRS. JUSTICE RANJANA PRAKASH DESAIFor Petitioner(s) Dr.Sumant Bhardwaj, Adv.  
For Ms. Mridula Ray Bharadwaj, Adv.

For Respondent(s) Mr. T. Harish Kumar, Adv.

Mr.A.K.SOni, Adv.  
Mr.Mohan Babu Agg., Adv.  
Mr.Pavan Kumar, Adv.  
For Mr. Nikhil Jain ,AdvUPON hearing counsel the Court made the following  
O R D E R

Leave granted.

The appeal is allowed, in terms of the signed order.

(G.V.Ramana)  
Court Master  
(signed order is placed on the file)(Vinod Kulvi)  
Asstt.Registrar