

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 7080-7082 OF 2015

M. KUPPUSWAMY AND ANR.

..APPELLANT(S)

VERSUS

KARNATAKA STATE ROAD TRANSPORT
CORPON. AND ORS.

..RESPONDENT(S)

O R D E R

1. These appeals are directed against the judgments and orders passed by the High Court of Karnataka at Bangalore in M.F.A.No.8789 of 2011 (MV) c/w MFA No.8687 of 2011 (MV), dated 11.10.2012 and in Review Petition No.1342 of 2012, dated 15.03.2013, whereby and whereunder the High Court has reduced the compensation awarded by the Tribunal from Rs.15,57,000/- to Rs.11,01,000/- with interest @6% p.a. from the date of the petition till its realization.

2. The appellants/claimants are the parents of the deceased, who has met with an accident and succumbed to his injuries. On the claim made by the appellants/claimants, the IIIrd Additional District Judge

and Motor Accident Claims Tribunal (for short 'the Tribunal') at Mysore, had awarded a compensation of Rs.15,57,000/- with interest at the rate of 6% p.a. on the amount from the date of petition till the amount is deposited in Court.

3. Being aggrieved by the compensation so awarded by the Tribunal, the respondent Corporation and the claimants/appellants have preferred appeals before the High Court. The High Court, by its impugned judgment and order has reduced the compensation awarded by the Tribunal from Rs.15,57,000/- to Rs.11,01,000/- with interest @6% p.a. from the date of the petition till its realization. Aggrieved by the judgment and order passed by the High Court, the appellants/claimants are before us in these appeals.

4. We have heard learned counsel for the parties to the *lis*.

5. 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

the case, we are of the opinion that the compensation awarded by the Tribunal be restored and the impugned judgment(s) and order(s) passed by the High Court be set aside.

6. Accordingly, while allowing these appeals, we set aside the order passed by the High Court and restore the judgment and order passed by the Tribunal *in toto*.

7. We clarify that the compensation shall be paid by the respondent no. 4-insurance company as expeditiously as possible at any rate within a period of six weeks from today, without any deductions whatsoever.

Ordered accordingly.

.....CJI.
(H.L. DATTU)

.....J.
(ARUN MISHRA)

NEW DELHI,
OCTOBER 29, 2015.

ITEM NO.82

COURT NO.1

SECTION IVA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 7080-7082/2015

M. KUPPUSWAMY & ANR.

Appellant(s)

VERSUS

KARNATAKA STATE ROAD TRANS. CORP. & ORS.

Respondent(s)

Date : 29/10/2015 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA

For Appellant(s) Mr.Anand Sanjay M.Nuli, Adv.
Mr.Dharm Sing, Adv.
for M/s. Nuli & Nuli,Adsv.

For Respondent(s) Dr.Sudhir Bisla, Adv.
Ms.Sumitra Bisla, Adv.
Mr. Kamal Mohan Gupta,Adv.

Mr.R.S.Hegde, Adv.
Mr.Farhat Jahan Rehmani, Adv.
Mr.Shanti Prakash, Adv.
For Mr. Rajeev Singh,Adv.

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

The appeals are allowed, in terms of the signed order.

Pending application(s), if any, is/are disposed of.

(G.V.Ramana)

AR-cum-PS

(Signed order is placed on the file)

(Vinod Kulvi)

Asstt.Registrar