

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 9079-9080 OF 2014
(Arising out of SLP(C) Nos.29630-29631 of 2013)

Surjeet Kaur .. Appellant(s)

Versus

Pappu Yadav and Ors. .. Respondent(s)

O R D E R

1. Leave granted.

2. These appeals are directed against the judgment and order passed by the High Court of Madhya Pradesh in Miscellaneous Appeal No. 3508 of 2012 and M.A. no. 3565 of 2012, dated 20.02.2013.

3. The appellant/claimant met with an accident and sustained grievous injuries. On the claim made by the appellant/claimant, the Eighth Additional Motor Accidents Claims Tribunal, District Jabalpur (Madhya Pradesh) (for short, "the Tribunal") had

awarded compensation of Rs.12,08,081/- with interest at the rate of 6 per cent per annum from the date of filing of the claim petition.

4. Being aggrieved by the compensation so awarded by the Tribunal, the appellant-herein preferred appeals before the High Court. By the impugned judgment and order, the High Court while disposing of the appeals has reduced the compensation from Rs. 12,08,081/-to Rs. 9,06,881/-. Aggrieved by the judgment and order passed by the High Court the appellant/claimant is before us in these appeals.

5. After 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 considered opinion that the order of the High Court be set aside and the order passed by the Tribunal be

restored.

5. Accordingly, we allow these appeals, set aside the judgment and order passed by the High Court and restore the order passed by the Tribunal. The claimant/appellant is now entitled for compensation of Rs.12,08,081/- with interest at the rate of 6 per cent on the enhanced compensation from the date of order passed by the Tribunal. The aforesaid amount shall be paid after deducting the amount already paid, if any.

6. The Civil Appeals are disposed of accordingly.

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

.....J.
[S.A. BOBDE]

.....J.
[ABHAY MANOHAR SAPRE]

NEW DELHI,
SEPTEMBER 22, 2014.

ITEM NO.49

COURT NO.2

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

Petitions for Special Leave to Appeal (C) Nos. 29630-29631/2013

(Arising out of impugned final judgment and order dated
20/02/2013 in MAC No. 3508/2012, 02/02/2013 in MA No. 3565/2012
passed by the High Court Of M.P At Jabalpur)

SURJEET KAUR

Petitioner(s)

VERSUS

PAPPU YADAV & ORS.
(With office report)

Respondent(s)

Date : 22/09/2014 These petitions were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Petitioner(s) Mr. Inderjeet Yadav, Adv.
Mr. Akshat Shrivastava, Adv.
Mr. Manoj Shivhare, Adv.

For Respondent(s) Mr. S.L. Gupta, Adv.
Mr. Varinder Kumar Sharma, Adv.
Mr. R.K. Sahu, Adv.

UPON hearing the counsel the Court made the following
O R D E R
Leave granted.

The appeals are disposed of in terms of the
signed order.

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]