

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8825 OF 2012  
(Arising out of SLP(C) No. 17638 of 2011)

G. ROOBAN

Appellant

VERSUS

BAJAJ ALLIANZ GENERAL INSURANCE  
CO. LTD. & ANR.

Respondents

O R D E R

1. Leave granted.

2. This appeal by special leave is directed against the judgment and order passed by the High Court of Judicature at Madras in Civil Miscellaneous Appeal No. 4187 of 2008 and Cross Objection No. 139 of 2010 dated 15.12.2010. By the impugned judgment and order, the High Court has reduced the compensation awarded to the Appellant by the Motor Accident Claims Tribunal, (V Court of Small Causes), Chennai ("the Tribunal" for short) in MCOP No. 3936 of 2005 from Rs.2,10,000/- to Rs.1,11,355/- with interest thereon.

3. Being aggrieved by the impugned judgment and order passed by the High Court, the appellant is before us in this appeal.

4. In the facts and circumstances of the case, we deem it proper that the judgment and order passed by the High Court be set aside and that the order passed by the Tribunal be restored. Accordingly, while allowing this appeal, we pass the following order:

"Impugned order passed by the High Court is set aside and the order passed by the Tribunal in MCOP No. 3936 of 2005 is restored. The Insurance Company shall comply with the order passed by the Tribunal within six weeks from the date of receipt of a copy of this Court's order."

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

.....J.  
(CHANDRAMAULI KR. PRASAD)

NEW DELHI  
DECEMBER 07, 2012

ITEM NO.47

COURT NO.7

SECTION XII

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).17638/2011

(From the judgement and order dated 15/12/2010 in CMA No.4187/2008, CO No.139/2010 of The HIGH COURT OF MADRAS)

G. ROOBAN

Petitioner(s)

VERSUS

BAJAJ ALLIANZ GEN. INSUR. CO. LTD. & ANR Respondent(s)

(With prayer for interim relief and office report)

Date: 07/12/2012 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE CHANDRAMAULI KR. PRASAD

For Petitioner(s) Mr. P.B. Suresh, Adv.  
Mr. Vipin Nair, Adv.  
Mr. U. Banerjee, Adv.  
M/S. Temple Law Firm

For Respondent(s) Mr. Joy Basu, Adv.  
R.1 Ms. Ruchi B. Jain, Adv.  
Mr. Chander Shekhar Ashri, Adv.

NCT Delhi Mr. J.P. Mahajan, Adv.  
Mr. D.S. Mahra, Adv.

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

Leave granted.

Appeal is allowed in terms of the signed order.

(NAVEEN KUMAR)  
COURT MASTER

(VINOD KULVI)  
COURT MASTER

(Signed order is placed on the file)