

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.6115 OF 2011

SARLA DEVI GUPTA AND ANR. . .APPELLANT(S)

VERSUS

AMIT KUMAR VISHWAKARMA AND ORS. . .RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Judicature at Madras in M.A.(C) No.1067 of 2010, dated 18.01.2011.

2. The appellants/claimants are the family members of the deceased, who has met with an accident and succumbed to his injuries. On the claim made by the appellants/claimants, Motor Accident Claims Tribunal, Bilaspur (for short, "the Tribunal"), had dismissed the claim petition preferred by the appellants/ claimants.

3. Being aggrieved by the compensation so awarded by the Tribunal, the appellants/ claimants preferred appeal before the High Court. The High Court, by its impugned judgment and order, has allowed the appeal in part and awarded the compensation of Rs.11,33,690/- along with

interest at the rate of 6 per cent. Aggrieved by the judgment and order passed by the High Court, the appellants-claimants are before us, in this appeal, by Special Leave.

4. 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 considered opinion that the compensation awarded by the High Court be further enhanced by another sum of Rs.9,00,000/- with interest at the rate of 6 per cent on the enhanced amount from the date of the order passed by the High Court.

6. Accordingly, while allowing this appeal, we modify the judgment and order passed by the High Court. The appellants/claimants are now entitled for a sum of Rs.9,00,000/- over and above the compensation so awarded by the High Court with interest at the rate of 6 per cent on the enhanced amount from the date of the order passed by the High Court, without any deductions whatsoever.

7. We clarify that the compensation shall be paid by the respondent-insurance company, as expeditiously as possible at any rate within a period of six weeks from today.

Ordered accordingly.

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

.....J.
(ARUN MISHRA)

NEW DELHI,
SEPTEMBER 30, 2015.

ITEM NO.65

COURT NO.1

SECTION IV

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). 6115/2011

SARLA DEVI GUPTA AND ANR

Appellant(s)

VERSUS

AMIT KUMAR VISHWAKARMA AND ORS

Respondent(s)

Date : 30/09/2015 This appeal was called on for hearing today.

CORAM :

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

For Appellant(s) Mr.Anil Kumar, Adv.
 Mr.K.Subba Rao, Adv.
 Mrs. Sudha Gupta,Adv.

For Respondent(s) Mr. Ajay Pal,Adv.
 Mr.Aman Pal, Adv.
 Mr.Rupinder Sheron, Adv.
 Mr.Jogender Singh, Adv.

 Ms. Anuradha Mutatkar,Adv.

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

The Civil Appeal is allowed, in terms of the signed order.

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

(G.V.Ramana)
AR-cum-PS
(Signed order is placed on the file)

(Vinod Kulvi)
Asstt.Registrar