

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5196 OF 2011

YENNI SURYA RAO

...APPELLANT(S)

VERSUS

BAJAJ ALLIANZ GENERAL  
INSURANCE CO. LTD. & ANR.

...RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order dated 15.07.2010 passed by the High Court of Judicature at Hyderabad in M.A.C.M.A. No.949 of 2009.

2. The appellant/claimant met with an accident and suffered multiple injuries. On the claim made by the appellant/claimant, the District Judge & Motor Accidents Claims Tribunal, Srikakulam (for short, "the Tribunal") has allowed the petition and granted compensation of Rs.95,000/- along with interest at the rate of 7.5 per cent vide award dated 12.01.2009.

3. Aggrieved by the judgment and order passed by the Tribunal the respondent-insurance company has preferred appeal before the High Court. The High Court while holding the respondent-insurance company not liable to pay the compensation has allowed the appeal and set aside the order passed by the Tribunal.

4. Aggrieved by the judgment and order passed by the High Court the appellant/claimant are before us in this appeal.

5. Heard learned counsel for the parties to the *lis*.

6. After going through the records and in view of the peculiar facts and circumstances of the case, we modify the order passed by the High Court to the extent that the Insurance Company will pay the compensation to the appellant/claimant and recover the same from the owner of the vehicle.

7. The Civil Appeal is disposed of accordingly.

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

.....J.  
(ARUN MISHRA)

.....J.  
(AMITAVA ROY)

NEW DELHI,  
MARCH 17, 2015.

ITEM NO.22

COURT NO.1

SECTION XIIA

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). 5196/2011

YENNI SURYA RAO

Appellant(s)

VERSUS

BAJAJ ALLIANZ

GEN.INSURANCE CO.LTD.& ANR

Respondent(s)

(With office report)

Date : 17/03/2015 This appeal was called on for hearing today.

CORAM :

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

For Appellant(s) Mr. Hitender Nath Rath, Adv.  
For Mr. Y. Raja Gopala Rao, Adv.

For Respondent(s) Mr. Priyadarshi Gopal, Adv.  
M/s. Law Associates, Adv.

M/s. T. T. K. Deepak & Co.

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

The appeal is disposed of in terms of the  
signed order.

(Neetu Khajuria)  
Sr.P.A.

(Vinod Kulvi)  
Assistant Registrar

(Signed order is placed on the file.)