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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 10020 OF 2013
(Arising out of SLP(C) No. 22344 of 2012)

|Ramendra Kumar Jaiswal & Anr. |.. Appellant(s) |

Versus

|Rajendra Kumar Kushwaha and Ors. |.. Respondent(s) |

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 Madhya Pradesh at Jabalpur in Misc. Appeal No. 2950 of 2009, dated 13.12.2011. The High Court while partly allowed the appeal filed by the claimants has enhanced the amount of compensation to Rs.6,70,000/- from Rs. 4,50,000/- as passed by the Motor Accidents Claims Tribunal, Jabalpur, (for short, "the Tribunal").

3. The Tribunal on the claim made by the appellants/claimants had awarded a compensation of Rs.4,50,000/-/- with interest at the rate of 6 per cent from the date of filing of the claim petition before the Tribunal till the actual date of payment.

4. Being aggrieved by the compensation so awarded by the Tribunal, the appellants/claimants had preferred an appeal before the High Court. By the impugned judgment and order, the High Court had partly allowed the appeal filed by the appellants/ claimants and enhanced the compensation to a total amount of Rs.6,70,000/- with interest at the rate of 7.5 per cent on the enhanced amount.

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

6. We gave carefully looked into the the judgment(s) and order(s) passed by the Tribunal as well as by the High Court, we are of the opinion that in the peculiar facts and circumstances of the case, the amount of compensation awarded by the Tribunal and enhanced by the High Court needs to be enhanced from Rs.6,70,000/ to another Rs.4,00,000/-i.e. Rs.10,70,000/- with interest at the rate of 6 per cent on the enhanced amount.

7. Accordingly, while allowing this appeal we set aside the judgment(s) and order(s) passed by the Courts below. The appellants/claimants are now entitled for compensation of Rs.10,70,000/-

with interest at the rate of 6 per cent per annum on the enhanced amount from the date of the order passed by the Tribunal.

8. The Civil Appeal is disposed of accordingly.

Ordered accordingly.

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

.....J.
[SHIVA KIRTI SINGH]

NEW DELHI,
OCTOBER 31, 2013.

ITEM NO.22

COURT NO.4

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

Petition(s) for Special Leave to Appeal (Civil) No(s).22344/2012

(From the judgement and order dated 13/12/2011 in MA No.2950/2009 of The HIGH COURT OF M.P AT JABALPUR)

RAMENDRA KUMAR JAISWAL & ANR.

Petitioner(s)

VERSUS

RAJENDRA KUMAR KUSHWAHA & ORS.

Respondent(s)

Date: 31/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH

For Petitioner(s) Mr. Akshat Shrivastava, Adv.
Ms. Manjeet Kirpal, Adv.
Mr. Siddharth Shrivastava, Adv.

For Respondent(s) Dr. Nafis A. Siddiqui, Adv.

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

Leave granted, .

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

| [Charanjeet Kaur] | | [Vinod Kulvi] |
| Court Master | | Asstt. Registrar |

[Signed order is placed on the file]