

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 4941 OF 2014
(Arising out of SLP(C) 22579 of 2013)

Mamta Gupta and Ors. .. APPELLANTS

Versus

Jai Prakash Gupta and Ors. .. RESPONDENTS

O R D E R

Leave granted.

1. This appeal is directed against the judgment and order passed by the High Court of Rajasthan, Jaipur in S.B.Civil Appeal No. 4712 of 2009, dated 24.11.2012. The High Court has dismissed the appeal filed by the claimants and affirmed the judgment passed by the Additional District Judge (Fast Track) No. 7, Jaipur Nagar, Jaipur for short, ("the Tribunal").

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2. The appellants/claimants are the family members of the deceased who died in the Motor Accident. On the claim petition filed by the appellants/claimants, the Tribunal had awarded a compensation of Rs.18,96,672/- along with interest at the rate of 6 percent.

3. Being aggrieved by the award so passed by the Tribunal, the appellants/claimants approached the High Court by filing civil miscellaneous appeal. The High Court had dismissed the appeal filed by the appellants/claimants and affirmed the judgment and order passed by the Tribunal.

4. Aggrieved by the order so passed by the High Court the appellants/claimants are before us in this civil appeal.

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

6. After carefully 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 opinion that the compensation awarded by the Tribunal and affirmed by the High Court be further enhanced by another sum of Rs.2,00,000/-.

7. Accordingly, we allow this appeal and modify the judgment and order passed by the High Court. The appellants/claimants are now entitled for a sum of Rs.2,00,000/- over and above the compensation awarded by the High Court with an interest at the rate of 6 per cent on the enhanced amount from the date of order passed by the Tribunal. The

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compensation so enhanced by us shall be paid after deducting the amount already paid, if any.

8. The Civil Appeal is disposed of accordingly.

Ordered accordingly.

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

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

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).22578/2013

(From the judgement and order dated 24/11/2012 in SBCA
No.4669/2009 of The HIGH COURT OF RAJASTHAN AT JAIPUR)

AMITA BANSAL & ORS.

Petitioner(s)

VERSUS

JAI PRAKASH GUPTA & ORS.
(With office report)

Respondent(s)

WITH SLP(C) NO. 22579 of 2013
(With office report)
SLP(C) NO. 22580 of 2013
(With office report)

Date: 25/04/2014 These Petitions were called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Manish Kumar Choudhary, Adv.
Mr. Y. Bharadwaj, Adv.
Ms. Namita Choudhary, Adv.

For Respondent(s) Mr. S.L. Gupta, Adv.
Ms. Shalu Sharma, Adv.

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

SLP(C) Nos. 22578 of 2013 & 22580 of 2013

Dismissed.

SLP(C) No. 22579 of 2013

Leave granted.

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

[Charanjeet Kaur]
Court Master

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]