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SLP(C)No. 2085 OF 2001

ITEM No.46

Court No. 5

SECTION XII
A/N MATTER

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.2085/2001

(From the judgement and order dated 30/11/1999 in CMA 629/97
of The HIGH COURT OF MADRAS)

DEVARAJAN

Petitioner (s)

VERSUS

M.D., M.G.R. TRANSPORT CORPORATION LTD.

Respondent (s)

(With appln. for c/delay in filing SLP)
(With Office Report)

Date : 21/01/2002 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE V.N. KHARE
HON'BLE MR. JUSTICE ASHOK BHAN

For Petitioner (s) Mr. PB Suresh, Adv.
Mr. Vipin Nair, Adv.
for M/s. Temple Law Firm

For Respondent (s) Mr. V Krishna Murthy, Adv.
Mr. PR Kovilan Poongkuntran, Adv.
Mr. T Harish Kumar, Adv.

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

.....L.....I.....T.....T.....T.....T.....T.....T.....T.....J
Leave granted.

The appeal is allowed. There shall be no order as
to costs.

.SP1

(Alka Dudeja)
Court Master

(S. Krishnan)
Court Master

Signed order is placed on the file.

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 596 OF 2002@@
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(Arising out of S.L.P.(C) No. 2085 of 2001)

DEVARAJAN

Petitioner (s)

VERSUS

M.D., M.G.R. TRANSPORT CORPORATION LTD.

Respondent (s)

O R D E R@@
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.....L.....I.....T.....T.....T.....T.....T.....J
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Leave granted.

In an accident the appellant herein was gravely injured, with the result that both his legs were amputated. The Motor Accident Claims Tribunal granted a total compensation for a sum of Rs.4,54,500/-. The respondent preferred an appeal before the High Court. The High Court reduced the said compensation to Rs.3,06,000/-. It is against the said judgment, the appellant has preferred this appeal.

We have heard counsel for the parties.

We find that the High Court has not given reasons for setting aside the finding of the Tribunal inasmuch as reducing the compensation. In the absence of such a finding, the order under challenge is not sustainable in law. We, therefore, set aside the order under challenge.
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The appeal is allowed. The award given by the Tribunal is restored. There shall be no order as to costs.

.....L.....I.....T.....T..T....T.....T.....T.....J
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.....J.
(V.N. KHARE)

.....J.
(ASHOK BHAN)

NEW DELHI
JANUARY 21, 2002.