

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.105 OF 2010

SHEETAL PARMAR & ORS. .. APPELLANT(S)

Versus

ORIENTAL INSURANCE CO. LTD. .. RESPONDENT(S)
& ANR.

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Uttaranchal at Nainital in A.O. No.4 of 2006, dated 15.12.2008.

2. The appellants/claimants are the family members of deceased who succumbed to the injuries sustained by him in an accident. On the claim made by the appellants/claimants, the Motor Accident Claims Tribunal/Addl. District Judge/FTC-Kashipur, Udham

Singh Nagar (for short, "the Tribunal") had awarded

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Charanjeet Kaur
Date: 2015.10.05
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Reason:

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compensation of Rs.5.60,800/- with interest at the rate of 9 per cent per annum from the date of filing of the petition.

3. Being aggrieved by the compensation so awarded by the Tribunal, the insurance company preferred an Appeal before the High Court. By the impugned judgment and order, the High Court partly allowed the Appeal

filed by the insurance company and reduced the

compensation awarded by the Tribunal from
Rs.5,60,800/- to Rs.4,31,200/-. Aggrieved by the
judgment and order passed by the High Court the
appellants/claimants are before us in this civil
appeal.

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

5. After carefully going through the judgment(s)
and order(s) passed by the Tribunal as well as the
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High Court and keeping in view the peculiar facts and
circumstances of the case, we are of the considered
opinion that the order so passed by the High Court
cannot be sustained.

6. Accordingly, we allow this appeal, set aside the
judgment and order passed by the High Court and
restore the order passed by the Tribunal.

7. The amount so awarded by the Tribunal shall be
paid after deducting the amount already paid, if any.

8. The Civil Appeal is disposed of accordingly.

.....CJI.
[H.L. DATTU]

.....J.
[ARUN MISHRA]

NEW DELHI,
SEPTEMBER 29, 2015.
ITEM NO.43

COURT NO.1

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Civil Appeal No(s). 105/2010

SHEETAL PARMAR & ORS.

Appellant(s)

VERSUS

