

THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5820 OF 2013

LATIF SALE BAFAN AND ORS. . .APPELLANT(S)

VERSUS

THE DRIVER OF TRUCK NO.GJ-12-X-3055  
THR.RESPONDENT NO.2 MAKANJI  
SAMJI VARCHAND AND ORS. . .RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Gujarat at Ahmedabad in First Appeal NO.3419 of 2012, dated 06.12.2012.

2. The appellants/claimants are the legal heirs of the deceased, who has met with an accident and succumbed to his injuries. On the claim made by the appellants/claimants, the Motor Accident Claims Tribunal (Main) Kachhchh at Bhuj (for short, "the Tribunal"), had awarded a compensation of Rs.2,18,250/- with interest at the rate of 9 per cent per annum till the date of petition till its realization.

3. Being aggrieved by the compensation so awarded by the Tribunal, the appellants-claimants preferred appeal before the High Court. The High Court, by its impugned judgment and order, has dismissed the appeal filed by the

appellants-herein thereby confirming the award passed by the Tribunal. Aggrieved by the judgment and order passed by the High Court, the appellants/claimants are before us in this appeal.

4. We have heard learned counsel for the appellant.

5. After going through the judgments and orders 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 without disturbing the orders passed by the High Court, the ends of justice would be met, if we award another sum of Rs.2,00,000/-.

6. Accordingly, while allowing this appeal, we modify the judgments and orders passed by the High Court as well as the Tribunal. The appellants/claimants are now entitled for a sum of Rs.2,00,000/- over and above the order passed by the High Court with interest at the rate of 6 per cent on the enhanced amount from the date of the order passed by the High Court.

7. We clarify that the compensation shall be paid by the respondent No.3 as expeditiously as possible at any

rate within a period of six weeks from today, without any deductions whatsoever.

Ordered accordingly.

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

.....J.  
(ARUN MISHRA)

NEW DELHI,  
OCTOBER 14, 2015.

ITEM NO.62

COURT NO.1

SECTION IX

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). 5820/2013

LATIF SALE BAFAN &amp; ORS.

Appellant(s)

VERSUS

DRIVER OF TRUCK NO GJ-12-X-3055 &amp; ORS.

Respondent(s)

Date : 14/10/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE ARUN MISHRAFor Appellant(s) Mr. O. P. Bhadani, Adv.  
Mr. Ashok Anand, Adv.

For Respondent(s)

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

The appeal is allowed, in terms of the signed order.

Pending application(s), if any, is/are disposed of.

(G.V.Ramana)  
AR-cum-PS

(Signed order is placed on the file)

(Vinod Kulvi)  
Asstt.Registrar