

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS.4076-4077 OF 2015
(Arising out of SLP(C) Nos. 21021-21022 of 2012)

RAM DITI AND ANOTHER .. APPELLANT(S)

VERSUS

OM PRAKASH & ANR.ETC. .. RESPONDENT(S)

O R D E R

1. Leave granted.
2. These appeals are directed against the judgment and order passed by the High Court of Punjab and Haryana at Chandigarh in F.A.O. Nos. 5552 of 2010 and 407 of 2010, dated 19.03.2012.
3. The appellants/claimants are the family members of the deceased, who met with an accident and succumbed to his injuries. On the claim petition filed by the appellants/claimants, the Motor Accident Claims Tribunal, Gurgaon (for short, "the Tribunal")

had awarded a compensation of Rs.15,08,800/- along with interest at the rate of 6 percent from the date of filing of the petition.

4. Being aggrieved by the award so passed by the Tribunal, the Respondent-Insurance Company and the Claimants/appellants preferred cross appeals before the High Court. The High Court by the impugned judgment(s) and order(s) has reduced the compensation awarded by the Tribunal from Rs.15,08,800/- to Rs.12,93,000/-. Aggrieved by the order so passed by the High Court the appellants/claimants are before us in these civil appeals.

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 High Court be enhanced by another sum of Rs.7,07,000/-.

7. Accordingly, while allowing these appeals we modify the judgments and orders passed by the High Court. The appellants/claimants are now entitled for a total compensation of Rs.20,00,000/- (Rupees Twenty Lakhs Only) with interest at the rate of 6 per cent on the enhanced amount from the date of order passed by the Tribunal. The compensation so enhanced by us shall be paid after deducting the amount already paid, if any.

8. The Civil Appeals are disposed of accordingly.

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

.....J.
[ARUN MISHRA]

NEW DELHI,
APRIL 27, 2015.

ITEM NO.89

COURT NO.1

SECTION IVB

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

Petitions for Special Leave to Appeal (C) Nos. 21021-21022/2012

(Arising out of impugned final judgment and order dated
19/03/2012 in FAO No. 5552/2010, 19/03/2012 in FAO No. 407/2010
passed by the High Court Of Punjab & Haryana At Chandigarh)

RAM DITI AND ANOTHER

Petitioner(s)

VERSUS

OM PRAKASH & ANR. ETC.

Respondent(s)

(With appln. (s) for permission to place addl. documents on
record and raising additional grounds and office report)

Date : 27/04/2015 These petitions were called on
for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Gagan Gupta, Adv.

For Respondent(s) Mrs. Geetha Kovilan, Adv.
Mr. P.R. Kovilan, Adv.

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

Leave granted.

The civil appeals are disposed of in terms
of the signed order.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]