

ITEM NO.2

COURT NO.3

SECTION PIL-W

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

Writ Petition(s)(Civil) No(s). 295/2012

S.RAJASEEKARAN

Petitioner(s)

VERSUS

UNION OF INDIA AND ORS.

Respondent(s)

(REPORT NOS. 16, 18 AND 20 ARE TO BE LISTED. MR. GAURAV AGRAWAL,
ADVOCATE IS AMICUS CURIAE IN THE MATTER.)

Date : 27-02-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE DEEPAK GUPTA
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Mr. Gaurav Agarwal, Adv. (A.C)

Mr. Krishna Kumar, AOR

For Respondent(s) Mrs. Pinky Anand, ASG
Mr. Ajit Kumar Sinha, Sr. Adv.
Mr. R. Bala, Adv.
Mr. S.S. Ray, Adv.
Ms. Saudamini Sharma, Adv.
Ms. Snidha Mehra, Adv.
Mr. G.S. Makker, Adv.

Mr. Mirnal Kanthi Mondal, Adv.
Mr. K.V. Jagdishvaran, Adv.
Ms. G. Indira, AOR

Ms. Hemantika Wahi, AOR
Ms. Jesal Wahi, Adv.
Ms. Puja Singh, Adv.
Ms. Vishakha, Adv.

Mr. Dipak K. Nag, Adv.
Mr. Ekansh Bansal, Adv.
Mr. Parmanand Gaur, AOR

Mr. M.P. Singh, Adv.
Mr. Sunny Choudhary, Adv.

Ms. Aruna Mathur, Adv.
Mr. Avneesh Arputham, Adv.
Ms. Anuradha Arputham, Adv.
Ms. Geetanjali, Adv.
For M/S. Arputham Aruna And Co, AOR

Ms. Madhvi Diwan, ASG
Ms. Sunita Sharma, Adv.
Mr. R. Bala Subramaniam, Adv.
Mr. Raj Bahadur Yadav, AOR

Mr. Guntur Prabhakar, AOR
Ms. Prerna Singh, Adv.
Mr. Prashant M., Adv.

Mr. G. Prakash, AOR
Mr. Jishnu M.L., Adv.
Mrs. Priyanka Prakash, Adv.
Mrs. Beena Prakash, Adv.

Mr. Saurabh Mishra, AOR

Ms. Radhika Chautervedi, Adv.
Mr. Hitesh Kumar Sharma, Adv.
Mr. S.K. Rajora, Adv.
Dr. (Mrs.) Vipin Gupta, AOR

Mr. Gurmeet Singh Makker, AOR

Dr. Manish Singhvi, AAG
Mr. Shailja Nanda Mishra, Adv.
For Ms. Ruchi Kohli, AOR

Mr. Leishangthem Roshmani Kh., AOR
Miss Naibam Babina, Adv.
Miss Anupama Ngangom, Adv.

Mr. Keshav Mohan, Adv.
Mr. Prashant Kumar, Adv.
Mr. Rishi K. Awasthi, Adv.

Mr. Gopal Singh, AOR

Ms. K. Enatoli Sema, AOR
Mr. Amit Kumar Singh, Adv.

Mr. Samar Vijay Singh, Adv.

Mr. S. Udaya Kumar Sagar, Adv.
Mr. Mrityunjai Singh, Adv.

Mr. ANS Nadkarni, ASG
Ms. Ruchira Gupta, Adv.
Mr. Salvadore Rebello, Adv.
Mr. Anurag Sharma, Adv.
Ms. Surbhi Mehta, AOR

Mr. V.G. Pragasam, AOR
Mr. S. Prabu Ramasubramanian, Adv.
Mr. S. Manuraj, Adv.

Mr. Chanchal Kumar Ganguli, AOR

Mr. Nishant Ramakantrao Katneshwarkar, AOR
Ms. Swarupama Chaturvedi, Adv.

Ms. Jaikriti S. Jadeja, AOR

Mr. M. Shoeb Alam, AOR
Mr. Ujjwal Singh, Adv.
Mr. Gautam Prabhkar, Adv.
Mr. Mojahid Karim Khan, Adv.

Ms. Prerna Mehta, AOR (Not Present)

Mr. Shuvodeep Roy, AOR
Mr. Rijuk Sarkar, Adv.

Mr. Kumar Anurag Singh, Adv.
Mr. Tapesk Kumar Singh, Adv.

Mr. Suhaan Mukerji, Adv.
Ms. Astha Sharma, Adv.
Mr. Amit Verma, Adv.
Mr. Abhishek Manchanda, Adv.
Ms. Dimple Nagpul, Adv.
For M/S. PLR Chambers And Co., AOR

Mr. V.N. Raghupathy, AOR
Mr. Parikshit P. Angadi, Adv.
Mr. Manedra Pal Gupta, Adv.
Mr. (Md.) Apzal Ansari, Adv.

Mr. Karan Bharihoke, Adv.
Mr. B.D. Das, Adv.
Mr. Kaushal Narayan Mishra, Adv.
Mr. Siddhant Sharma, Adv.
Ms. Navkiran Bolay, Adv.

Mr. Siddhesh Kotwal, Adv.
Ms. Bansuri Swaraj, Adv.
Mr. Raghunatha Sethpathy, Adv.
Mr. Gagan Narang, Adv.

Ms. Arshiya Ghose, Adv.
For Ms. Astha Sharma, Adv.

Mr. Ranjan Mukherjee, AOR
Mr. Daniel Stone Lyagdoh, Adv.

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

Mr. Gaurav Agarwal, learned *Amicus Curiae*, submits that a large sum to the tune of Rupees ninety crores is lying with the General Insurance Council (GIC) for disbursement to the victims of hit and run motor accident cases. He further submits that having regard to the depreciation in the value of currency, the amount of compensation to the tune of Rs.25,000/- (Rupees twenty five thousand only) is largely felt to be inadequate for the purpose of compensating victims of such cases. He therefore prays that the compensation amount can be reasonably fixed at about Rupees two lakh per victim in case of death and Rupees fifty thousand per victim in case of grievous injuries.

Ms. Pinky Anand, learned Additional Solicitor General appearing for the Union of India, points out that the Motor Vehicles (Amendment) Bill, 2017 for enhancement of compensation to the above extent, has been passed in the Lok Sabha but is still pending before the Rajya Sabha.

In any case, we find that it is necessary to find out a secured and foolproof method of distribution of this compensation that may be paid to the victims of hit and run motor accident cases.

For this purpose, we consider it appropriate to call upon Mr. Agarwal, learned *Amicus Curiae* who is assisting in the matter

along with Ms. Anand, learned Additional Solicitor General appearing for the Union of India, and other stake holders to submit a scheme for a faithful distribution of the amounts which may be paid over to the victims of hit and run motor accident cases.

We, accordingly, adjourn this matter to 02.4.2019.

(SANJAY KUMAR-II)
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)
ASSISTANT REGISTRAR