

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7393 OF 2011

DAMYANTI & ORS.

...APPELLANTS

VERSUS

NATIONAL INSURANCE CO. LTD. & ORS.

...RESPONDENTS

WITH

CIVIL APPEAL NO.7394 OF 2011

DHANPATI DEVI & ORS.

...APPELLANTS

VERSUS

RAJBIR SINGH & ORS.

...RESPONDENTS

O R D E R

Since the facts in both the cases are similar, we take the facts in Civil Appeal No.7393 of 2011 for disposal of both the appeals.  
C.A. NO.7393 OF 2011:

1. This appeal is directed against the judgment and order passed by the High Court of Punjab and Haryana at Chandigarh in F.A.O.No.600 of 1999, dated 04.05.2010.

2. The appellants/claimants are the family members of the deceased, who died in an accident. On the claim made by the appellants/claimants, the Motor Accidents Claims Tribunal, Bhiwani, (for short, 'the Tribunal') had awarded a total compensation of Rs.2,80,000/- with interest at the rate of 12 per cent per annum from the date of the petition till its realization.

3. Aggrieved by the compensation so awarded by the Tribunal, the appellants/claimants had preferred an appeal before the High Court. By the impugned judgment and order, the High Court has enhanced the compensation awarded by the Tribunal from Rs.2,80,000/- to Rs.5,31,500/- along with interest at the rate of 7 per cent per annum from the date of the appeal till its realization. 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 by the High Court and in view of the peculiar facts and circumstances of the case, we are of the opinion that the amount of compensation awarded by the High Court be enhanced by a further sum of Rs.2,50,000/-.

6. Accordingly, while allowing this appeal, we modify the judgment(s) and order(s) passed by the Courts below. The appellants/claimants are now entitled for a compensation of Rs.2,50,000/- over and above the compensation so awarded by the High Court along with

interest at the rate of 6 per cent per annum from the date of the order passed by the Tribunal. The compensation so enhanced by us shall be paid after deducting the amount already paid, if any.

C.A. NO.7394 OF 2011:

In view of the disposal of Civil Appeal No.7393 of 2011, this appeal is also disposed of in the same terms, conditions, observations and directions.

Ordered accordingly.

.....J.  
(H.L. DATTU)

.....J.  
(MADAN B. LOKUR)

NEW DELHI;  
DECEMBER 10, 2013  
ITEM NO.12

COURT NO.4

SECTION IV

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). 7393 OF 2011

DAMYANTI & ORS.

Appellant (s)

VERSUS

NATIONAL INSURANCE CO.LTD. & ORS.

Respondent(s)

WITH Civil Appeal NO. 7394 of 2011

Date: 10/12/2013 These Appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE MADAN B. LOKUR

For Appellant(s) Dr.Sukhdev Sharma, Adv.  
Mr.V.K.Vasdev, Adv.  
Mr.Shubham Agarwal,Adv  
for Dr. Kailash Chand,Adv.

For Respondent(s) Mr.S.L.GUpta, Adv.  
Mr.Vikash Chandra, Adv.  
Mr.D.P.Singh Yadav, Adv.  
Mr.S.S.Gupta, Adv.  
Mr..N.N.Bain, Adv.  
Mr.Inder Mohan Singh, Adv.  
Mr.Rajeev Kumar Deora, Adv.  
Mr.Naresh Kumar Sharma, Adv.  
Mr.S.M.Sarkar, Adv.  
Mr.Samrendra Dutta, Adv.  
Mr.Ram Ashray, Adv.  
For Ms. Shalu Sharma,Adv.

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

The Civil Appeals are allowed and disposed of, in terms of the signed order.

(G.V.Ramana)  
Court Master

(Vinod Kulvi)  
Asstt.Registrar

(signed order is placed on the file)