

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5576 OF 2014
(SPECIAL LEAVE PETITION (C.)NO.25709 OF 2010)

K.RUKMANGATHAN

...APPELLANT

VERSUS

REGIONAL MANAGER, UNITED INDIA
INSURANCE COMPANY LTD.

...RESPONDENT

O R D E R

1. Leave granted.

2. This appeal, by special leave, is directed against the judgment and order passed by the High Court of Karnataka at Bangalore in M.F.A. No.5790 of 2006 (MV), dated 06.01.2010.

3. The appellant/claimant met with an accident and sustained grievous injuries. On the claim made by the appellant/claimant, the Motor Accidents Claims Tribunal and Court of Small Causes, Bangalore (for short, 'the Tribunal') had awarded a compensation of Rs.46,950/- along with interest at the rate of 8 per cent per annum.

4. Being aggrieved by the compensation so awarded by the Tribunal, the appellant/claimant preferred appeal before the High Court. The High Court, by its impugned judgment and order, has partly allowed the appeal and enhanced the compensation awarded by the Tribunal from Rs.62,600/- to Rs.77,600/- with interest at the rate of 6 per cent per annum. Aggrieved by the order so passed by the High Court the appellant/claimant is before us in this appeal.

2

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 considered opinion that the compensation awarded by the High Court be further enhanced by another Rs.50,000/- with interest at the rate of 6 per cent per annum on the enhanced amount.

7. Accordingly, while allowing this appeal, we modify judgment and order passed by the High Court. The appellant/claimant is now entitled for a further sum of Rs.50,000/- over and above the compensation so awarded by the High Court with interest at the rate of 6 per cent on the enhanced amount from the date of order passed by the High Court. The compensation so enhanced by us shall be paid after deducting the amount already paid, if any.

Ordered accordingly.

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

.....J.
(S.A. BOBDE)

NEW DELHI;
MAY 09, 2014

3

ITEM NO.50

COURT NO.2

SECTION IVA

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

Petition(s) for Special Leave to Appeal (Civil)
No(s).25709/2010

(From the judgement and order dated 06/01/2010 in MFA
No.5790/2006 of the HIGH COURT OF KARNATAKA AT BANGALORE)

K. RUKMANGATHAN

Petitioner(s)

VERSUS

RM, UNITED INDIA INS. CO. LTD.

Respondent(s)

(With office report)

Date: 09/05/2014 This Petition was called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU
HON'BLE MR. JUSTICE S.A. BOBDE

For Petitioner(s) Mr. V.N. Raghupathy, Adv.

For Respondent(s) Mr.S.L.Gupta, Adv.
Mr. Varinder Kumar Sharma, Adv.

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

Leave granted.

Appeal allowed, in terms of the signed order.

(G.V.Ramana)
Court Master

(Vinod Kulvi)
Asstt.Registrar

(Signed order is placed on the file)