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IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9921 OF 2013
(Arising out of S.L.P.(C)No.23554 of 2011)

SHIVANANDA

APPELLANT

VERSUS

A. KANGARAJ & ORS.

RESPONDENTS

O R D E R

1. Leave granted.

2. This appeal is directed against the judgment and order passed by the High Court of Karnataka, Circuit Bench at Gulbarga in M.F.A. No.1706 of 2008 (M.V.) dated 07.07.2010.

3. On the claim made by the appellant/claimant, the Motor Accidents Claims Tribunal, Gulbarga (for short 'the Tribunal') had awarded a total compensation of Rs.1,90,232/- with interest at the rate of 6 per cent per annum from the date of filing the claim.

4. Being aggrieved by the compensation so awarded by the Tribunal, the appellant/claimant had preferred an appeal before the High Court. By the impugned judgment and order, the High Court has partly allowed the appeal and enhanced the compensation awarded by the Tribunal from Rs.1,90,232/- to Rs.3,74,832 with interest at the rate of 6% from the date of filing of the claim petition. Aggrieved by the judgment and order passed by the High Court, the appellant/claimant is before us in this civil appeal.

5. Heard learned counsel for the parties to the lis.

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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 needs to be further enhanced by a sum of Rs.2,00,000/-.

7. Accordingly, while allowing this appeal we modify the order passed by the High Court. The appellant/claimant is now entitled for compensation of Rs.2,00,000/- over and above the compensation awarded by the High Court, after deducting the amount already paid, if any, with interest at the rate of 6 per cent from the date of the order passed by the Tribunal.

8. The Civil Appeal is disposed of accordingly.

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

.....J.
(RANJAN GOGOI)

NEW DELHI;
OCTOBER 30, 2013
ITEM NO.43

COURT NO.3

SECTION IVA

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

Petition(s) for Special Leave to Appeal (Civil) No(s).23554/2011

(From the judgement and order dated 07/07/2010 in MFA No.1706/2008 of the  
HIGH COURT OF KARNATAKA AT GULBARGA)

SHIVANANDA Petitioner(s)

VERSUS

A.KANGARAJ & ORS. Respondent(s)

(With appln(s) for c/delay in filing SLP and office report )

Date: 30/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr.Basava Prabhu S.Patil, Sr.Adv  
Mr.Anirudh Sanganeria, Adv.  
Mr.Venkata Krishna Kunduru, Adv.  
Mr.B.Subrahmanya Prasad, Adv.  
Mr.Debjyoti basu,Adv.  
Mr. V.N. Raghupathy,Adv.

For Respondent(s) Mr. Rishi Malhotra,Adv.

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

Leave granted.

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

(G.V.Ramana)  
Court Master  
(signed order is placed on the file)

(Vinod Kulvi)  
Asstt.Registrar