

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.7959 OF 2012

M.VIMALA @ BHARATHI & ORS. . . . APPELLANT(S)

VERSUS

BANGALORE METROPOLITAN
TRANSPORT CORPORATION & ORS RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Karnataka at Bangalore in M.F.A. No.3950 of 2002, dated 15.01.2009.

2. The appellants/claimants are the family members of deceased, who met with an accident and succumbed to his injuries. On the claim made by the appellants/claimants, the Motor Accidents Claim Tribunal, Bangalore (for short, "the Tribunal") had awarded a compensation of Rs.8,26,000/- along with interest at the rate of 6% per annum.

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NEETU KHAJURIA
Date: 2015.10.17
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Reason:

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3. Aggrieved by the judgment and order passed by the Tribunal the respondent-Bangalore Metropolitan Transport Corporation has preferred appeal before the High Court.

4. The High Court, by its impugned judgment and order, has allowed the appeal preferred by the respondent and set aside the order passed by the Tribunal by reducing the award from Rs.8,26,000/- to

Rs.5,19,000/-.

5. Aggrieved by the judgment and order passed by the High Court the appellants/claimants are before us in this appeal.

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

7. After carefully going through the impugned judgment and order passed by the High Court as well as the other material available on record and in view of
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the peculiar facts and circumstances of the case, we are of the considered opinion that the High Court was not justified in reducing the award passed by the Tribunal. In the result, the appeal is allowed and the judgment and order passed by the High Court is set aside and the order passed by the Tribunal is restored.

8. The Civil Appeal is disposed of, accordingly.

.....CJI.
(H.L. DATTU)

.....J.
(ARUN MISHRA)

NEW DELHI,
OCTOBER 07, 2015.

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ITEM NO.54	COURT NO.1	SECTION IVA
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).	7959/2012
M.VIMALA @ BHARATHI & ORS.		Appellant(s)
VERSUS		
BANGALORE MATROPOLITAN TRANSP.CORP.& ORS		Respondent(s)

Date : 07/10/2015 This appeal was called on for hearing today.

CORAM :

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

For Appellant(s) Mr. N. K. Verma, Adv.
 Ms. Anjana Chandrashekar, Adv.

For Respondent(s) Mr. R. S. Hegde, Adv.
 Mrs. Farhat Jahan Rehmani, Adv.
 Mr. Shanti Prakash, Adv.
 Mr. Rajeev Singh, Adv.

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

The appeal is disposed of in terms of
the signed order.

In view of the above, pending
application(s), if any, stand disposed of.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file.)