

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2812 OF 2011

SHORBIR SINGH PANWAR . . . APPELLANT (S)

VERSUS

UTTARANCHAL TRANSPORT CORPORATION . . . RESPONDENT (S)

O R D E R

1. This appeal is directed against the judgment and order, passed by the Division Bench of the High Court of Uttarakhand at Nainital in Appeal from Order No.513 of 2006, dated 28.04.2009.

2. The appellant-claimant has met with an accident and sustained grievous injuries. On the claim made by the appellant-claimant, the District Judge, Tehri Garhwal [New Tehri]/Motor Accident Claims Tribunal (for short, "the Tribunal"), had awarded a compensation of Rs.10,00,000/- with interest @ 5% p.a. from the date of filing of the claim petition.

3. Being aggrieved by the compensation so awarded by the Tribunal, the respondent preferred appeal before the High Court. The High Court, by its impugned judgment and

order, has reduced the compensation from Rs.10,00,000/- to Rs.2,23,306/-.

4. Heard learned counsel for the parties to the *lis*.

5. After going through the judgments and orders 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 opinion that the compensation awarded by the High Court be further enhanced by another sum of Rs.2,50,000/- with interest at the rate of 6% p.a. from the date of the award passed by the High Court.

6. Accordingly, while allowing this appeal, we modify the judgment and order passed by the High Court. The appellant/claimant is now entitled for a sum of Rs.2,50,000/- over and above the compensation so awarded by the High Court without any deductions whatsoever.

7. We clarify that the compensation shall be paid by

the respondent as expeditiously as possible at any rate within a period of six weeks from today.

Ordered accordingly.

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

.....J.
(ARUN MISHRA)

.....J.
(AMITAVA ROY)

NEW DELHI,
AUGUST 17, 2015.

ITEM NO.3

COURT NO.1

SECTION X

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

I.A. 3/2015 in Civil Appeal No(s). 2812/2011

SHOORBIR SINGH PANWAR

Appellant(s)

VERSUS

UTTARANCHAL TRANSPORT CORP.

Respondent(s)

(for early hearing and office report)

Date : 17/08/2015 This application was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE AMITAVA ROYFor Appellant(s) Dr.Sandeep Singh, Adv.
Mr. Pahlad Singh Sharma,Adv.
Ms.Seema Singh, Adv.

For Respondent(s) Mr. Pradeep Misra,Adv.

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

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

(G.V.Ramana)
AR-cum-PS
(Signed order is placed on the file)(Vinod Kulvi)
Asstt.Registrar