

ITEM NO.14

COURT NO.11

SECTION XVII

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)...../2010
CC 16113/2010

(From the judgement and order dated 25/02/2010 in RP No. 2579/2008
of The NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION, NEW DELHI)

BABITA KUMARI Petitioner(s)

VERSUS

ANJANI KUMAR Respondent(s)

IA NO.1(c/delay in filing SLP)

Date: 29/10/2010 This Petition was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE G.S. SINGHVI
HON'BLE MR. JUSTICE ASOK KUMAR GANGULY

For Petitioner(s) Mr. Smarhar Singh,Adv.

For Respondent(s)

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

Delay condoned.
Feeling aggrieved by the order of the National
Consumer Disputes Redressal Commission (for short, 'the
National Commission') which refused to grant further
enhancement in the compensation awarded by District
Consumer Redressal Forum, Bhagalpur (for short, 'the
District Forum') and the State Consumer Disputes Redressal
Commission, Bihar (for short, 'the State Commission'), the
petitioner has filed this petition.

In the complaint filed by her, the petitioner
claimed compensation of Rs.4,88,470/- by alleging that due

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to negligence of the respondent, her left finger had to be
amputated. The District Forum held that the respondent was
negligent in treating the injury suffered by the petitioner
and awarded compensation of Rs.1 lakh. The State
Commission partly allowed the appeal preferred by the
petitioner and enhanced the compensation by Rs.15,000/-
along with litigation cost of Rs.10,000/-. The National
Commission was of the view that the compensation awarded by
the District Forum, which was enhanced by the State
Commission was just and proper and the petitioner was not
entitled to further relief.

We have heard learned counsel for the petitioner
and carefully perused the record.

The only issue which has been raised by the
petitioner relates to the quantum of compensation. The
District Forum granted lump sum compensation of Rs.1lakh
with litigation cost of Rs.2,000/-. The State Commission

felt that an additional amount of Rs.15,000/- should be paid to the petitioner towards future medical expenses and litigation cost of Rs.10,000/-. The petitioner has not been able to make out as to how the compensation awarded by the consumer foras is unjust or unreasonable.

The special leave petition is accordingly dismissed.

(A.D. Sharma)
Court Master

(Phoolan Wati Arora)
Court Master