

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 8192 OF 2015
(Arising out of SLP(C) No.30571 of 2010)

KANTA DEVI & ORS. .. APPELLANT(S)

VERSUS

DHANNALAL & ORS. .. RESPONDENT(S)

O R D E R

1. Leave granted.
2. This appeal is directed against the judgment and order passed by the High Court of Judicature for Rajasthan, Jaipur Bench, Jaipur, Rajasthan in Civil Miscellaneous Appeal No.2523 of 2008, dated 27.11.2009.
3. The appellants/claimants are the family members of deceased who met with an accident and succumbed to his injuries. On the claim petition filed by the appellants/claimants the Motor Accident Claims Tribunal, Jaipur (for short, "the Tribunal") had awarded a compensation of Rs.5,17,170/- along with

interest at the rate of 7.5 percent per annum from the date of filing of the petition.

4. Being aggrieved by the award so passed by the Tribunal, the appellants/claimants preferred appeal before the High Court. The High Court by the impugned judgment and order had dismissed the appeals of the appellants/claimants. Aggrieved by the order so passed by the High Court the appellants/claimants are before us in this appeal.

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 opinion that the compensation awarded by the Tribunal be further enhanced by another sum of Rs.3,00,000/-.

7. Accordingly, while allowing this appeal we

modify the judgment and order passed by the High Court. The appellants/claimants are now entitled for an enhanced amount of Rs.3,00,000/- over and above the compensation awarded by the Tribunal, with an 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.

8. The Civil Appeal is disposed of accordingly.

.....CJI.
[H.L. DATTU]

.....J.
[ARUN MISHRA]

NEW DELHI;
SEPTEMBER 30, 2015

ITEM NO.19

COURT NO.1

SECTION XV

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 (C) No(s). 30571/2010

(Arising out of impugned final judgment and order dated
27/11/2009 in SBCMA No. 2523/2008 passed by the High Court Of
Rajasthan At Jaipur)

KANTA DEVI & ORS.

Petitioner(s)

VERSUS

DHANNALAL & ORS.
(For Final Disposal)

Respondent(s)

Date :30/09/2015 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Ms. Aishwarya Bhati, Adv.
Mr. T. Gopal, Adv.
Ms. Madhurima Ghosh, Adv.
Ms. Neha Meena, Adv.

For Respondent(s) Mr. Praveen Swarup, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed
order.

As a sequel to above order, all pending
applications, if any, are disposed of.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]