

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 7867 OF 2009

|Sheela & Ors.

|.. Appellant(s)

Versus

|Aslam Khan & Ors.

|.. Respondent(s)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Madhya Pradesh bench at Indore in Misc. Appeal No. 654 of 1999, dated 04.07.2008. The High Court while confirming the award passed by the Motor Accidents Claims Tribunal, Indore, (for short, "the Tribunal") has dismissed the appeal filed by the appellants/ claimants.

2. The appellants/claimants are the family members of the deceased Suresh Jain who died in a road accident while travelling in a Jeep. The Tribunal on the claim made by the appellants/ claimants had awarded a compensation of Rs.7,27,800/- with interest at the rate of 12 per cent from the date of filing of the claim petition before the Tribunal till the actual date of payment.

3. Being aggrieved by the compensation so awarded by the Tribunal, the appellants/claimants had preferred an appeal before the High Court. By the impugned judgment and order, the High Court while dismissing the appeal filed by the appellants/ claimants had confirmed the award passed by the Tribunal. Aggrieved by the order so passed by the High Court the appellants/ claimants are before us in this appeal.

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

5. Having perused 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 Tribunal needs to be enhanced from Rs.7,27,800/- to Rs.10,00,000/- with interest at the rate of 6 per cent.

6. Accordingly, while allowing this appeal we set aside the judgment(s) and order(s) passed by the Courts below. The appellants/claimants are now entitled for compensation of Rs.10,00,000/- with interest at the rate of 6 per cent per annum from the date of the order passed by the Tribunal. The aforesaid amount shall be paid after deducting the amount already paid.

7. The Civil Appeal is disposed of accordingly.

.....J.  
[ H. L. DATTU ]

.....J.  
[ M. Y. EQBAL ]

NEW DELHI,  
OCTOBER 23, 2013.

ITEM NO. 5

COURT NO.4

SECTION IV

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

CIVIL APPEAL NO(s). 7867 OF 2009

SHEELA & ORS.

Appellant (s)

VERSUS

ASLAM KHAN & ORS.

Respondent(s)

(With office report)

Date: 23/10/2013 This Appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE M.Y. EQBAL

For Appellant(s) Mr. Niraj Sharma,Adv.

For Respondent(s)Mr. Ravi bakshi, Adv.  
Mr. Yash Pal Dhingra,Adv.

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

The appeal is allowed in terms of the signed order.

| [ Charanjeet Kaur ] | | [ Vinod Kulvi ] |  
|Court Master | |Asstt. Registrar |

[ Signed order is placed on the file ]

