

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9911 OF 2013  
(@ SPECIAL LEAVE PETITION (C) NO.36021 OF 2010)

RAMESH KUMAR SHEDPURE & ANR.

APPELLANTS

VERSUS

SHEIKH KHALIL & ORS.

RESPONDENTS

O R D E R

1. Leave granted.
2. This appeal is directed against the judgment and order passed by the High Court of Chhattisgarh at Bilaspur in Miscellaneous Appeal No.124 of 2002, dated 16.04.2010, whereby the High Court has dismissed the appeal of the appellants herein for enhancement of compensation.
3. The appellants/claimants are the parents of the deceased, who has died in the accident that took place by the truck which is owned by the respondent no.1 herein. On the claim made by the appellants/claimants, the Motor Accident Claims Tribunal (for short 'the Tribunal') had awarded a compensation of Rs.60,000/- with interest at the rate of 9 per cent from the date of filing the claim petition before the Tribunal till the actual date of payment.
4. 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 had dismissed the appeal of the appellants herein for enhancement of compensation relying on a decision of this Court in the case of  
: 2 :  
Oriental Insurance Co.Ltd. Vs. Syed Ibrahim and Ors., 2007(4) T.A.C.385(S.C.). Aggrieved by the judgment and order passed by the High Court the appellants/claimants are before us in this civil 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 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 to a further sum of Rs.2,00,000/- with interest at the rate of 6 per cent.
7. Accordingly, while allowing this appeal we modify the judgment(s) and order(s) passed by the Courts below. The appellant/claimant is now entitled for a total compensation of Rs.2,60,000/- after deducting the amount already paid, if any, with interest at the rate of 6 per cent per annum on the amount as enhanced by this Court from the date of the order passed by the Tribunal.
8. The Civil Appeal is disposed of accordingly.

.....J.  
(H.L. DATTU)

.....J.  
(RANJAN GOGOI)

NEW DELHI;  
OCTOBER 30, 2013  
ITEM NO.2

COURT NO.3

SECTION IVA

Petition(s) for Special Leave to Appeal (Civil) No(s).36021/2010

(From the judgement and order dated 16/04/2010 in MA No.124/2002 of the  
HIGH COURT OF CHHATTISGARH AT BILASPUR)

RAMESH KUMAR SHEDPURE & ANR Petitioner(s)

VERSUS

SHEIKH KHALIL & ORS. Respondent(s)  
(With appln(s) for exemption from filing O.T.)

Date: 30/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE RANJAN GOGOI

For Petitioner(s) Mr. Kamal Mohan Gupta, Adv.  
Mohd.Zahid Hussain, Adv.  
Mr.Gaurav Teotia, Adv.

For Respondent(s) Mr.S.L.GUpta, Adv.  
Mr.Vikash Chandra, Adv.  
Mr.Ram Ashray, Adv.  
Mr.S.S.Gupta, Adv.  
Mr.N.N.Bain, Adv.  
Mr.Rakesh Ranjan Mishra, Adv.  
Mr.Kundan Lal, Adv.  
Mr.D.P.SIngh Yadav, Adv.  
For Ms. Shalu Sharma, Adv.

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

Leave granted.

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

(G.V.Ramana)  
Court Master  
(signed order is placed on the file)

(Vinod Kulvi)  
Asstt.Registrar