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ITEM NO.7

COURT NO.2

SECTION IVA

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 (C) No.15005/2016

(Arising out of impugned final judgment and order dated 13/08/2015

in MFA No. 4574/2013 passed by the High Court of Karnataka at Bangalore)

SURENDRAN M. AND ANR.

Petitioner(s)

VERSUS

UMESHA V. AND ANR.

Respondent(s)

(With office report)

Date : 07/03/2017 This petition was called on for hearing today.

CORAM :

HON&#39;BLE MR. JUSTICE DIPAK MISRA

HON&#39;BLE MR. JUSTICE A.M. KHANWILKAR

HON&#39;BLE MR. JUSTICE MOHAN M. SHANTANAGOUDAR

For Petitioner(s) Mr. Ravi Panwar, Adv.

Mr. S. N. Bhat, AOR

For Respondent(s) Ms. Meenakshi Midha, Adv.

Mr. Akhil Roy, Adv.

Mr. Chander Shekhar Ashri, AOR

UPON hearing the counsel the Court made the following

O R D E R

Heard Mr. Ravi Panwar, learned counsel for the petitioners and Ms. Meenakshi Midha, learned counsel for the respondent No.2, the National Insurance Co. Ltd.

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In the course of hearing, a suggestion was given for enhancement of the compensation that has been granted by the High Court. Learned counsel for the parties left it to the discretion of this Court.

Having heard learned counsel for the parties at length, we are of the considered opinion that the amount of compensation deserves to be enhanced by a further sum of Rs.3,00,000/- (Rupees three lakh only) which shall be deposited by the respondent No.2 before the tribunal within eight weeks hence. Needless to say, as we have granted a lump sum amount, the insurer shall not be liable to pay any interest on the said enhanced sum, if it is deposited within the time stipulated herein-above. If the amount is not deposited within the time granted by this Court, it shall carry interest at the rate of 9% from the date of presentation of the application before the tribunal. The tribunal shall disburse the amount in favour of the claimants keeping in view the principle stated in General Manager, Kerala State Road Transport Corporation, Trivandrum vs. Susamma Thomas (Mrs.) and Others (1994) 2 SCC 176.

The special leave petition is, accordingly, disposed of. There shall be no order as to costs.

(Chetan Kumar)

Court Master (H.S. Parasher)

Court Master