

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.3974 OF 2010

MASTER ADARSH U.

..APPELLANT(S)

VERSUS

U. GIRIDHARA GOWDA AND ORS.

..RESPONDENT(S)

O R D E R

1. This appeal is directed against the judgment and order passed by the High Court of Karnataka at Bangalore in M.F.A.No.8549 of 2006 (MV), dated 12.11.2009.

2. The appellant/claimant, who was a minor at the time of the incident, has met with an accident and sustained grievous injuries. On the claim made by the appellant/claimant, the Civil Judge (Sr. Division) and Motor Accident Claims Tribunal, Madikeri (for short, "the Tribunal"), had awarded a compensation of Rs.1,80,000/- with interest.

3. Being aggrieved by the compensation so awarded by the Tribunal, the appellant/ claimant preferred appeal before the High Court. The High Court, by its impugned

judgment and order, has accepted the appeal filed by the appellant/ claimant in part and modified the award passed by the Tribunal and enhanced the awarded amount to Rs.4,12,500/- from Rs.1,80,000/- with interest @ 6% p.a. from the date of petition till the date of realization. Aggrieved by the judgment and order passed by the High Court, the appellant/claimant is before us, in this appeal, by Special Leave.

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

5. After going through the judgments and orders 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 High Court be further enhanced by another sum of Rs.4,00,000/-

6. Accordingly, while allowing this appeal, we modify the judgment and order passed by the High Court. The appellant/claimant is now entitled for a sum of Rs.4,00,000/- over and above the compensation so awarded by the High Court with interest at the rate of 6 per cent from the date of the order passed by the High Court, without any deductions whatsoever.

7. We clarify that the compensation shall be paid by the respondent Nos.2 and 3, as expeditiously as possible at any rate within a period of six weeks from today.

Ordered accordingly.

.....CJI.
(H.L. DATTU)

.....J.
(ARUN MISHRA)

NEW DELHI,
SEPTEMBER 29, 2015.

ITEM NO.61

COURT NO.1

SECTION IVA

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). 3974/2010

MASTER ADARSH U

Appellant(s)

VERSUS

U.GIRIDHARA GOWDA & ORS.

Respondent(s)

Date : 29/09/2015 This appeal was called on for hearing today.

CORAM :

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

For Appellant(s) Mrs. Kanchan Kaur Dhodi, Adv.

For Respondent(s) Mr. S. N. Bhat, Adv.
Mr. Chaturvedi, Adv.UPON hearing the counsel the Court made the following
O R D E RThe Civil Appeal is allowed, in terms of the signed
order.Pending application(s), if any, is/are also disposed
of.(G.V.Ramana)
AR-cum-PS

(Signed order is placed on the file)

(Vinod Kulvi)
Asstt.Registrar