

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.011211 OF 2017
(Arising out of SLP(C) No.10609 of 2016)

B.M. AMRUTESHAPPELLANT (S)

VERSUS

THE DEPOT MANGER, K.S.R.T.C. AND ORS.RESPONDENT (S)

O R D E R

Leave granted.

It appears that the appellant sustained grievous injuries due to rash and negligent driving by the driver of KSRTC Bus bearing No.KA-34/F-832 commuting from Mysore to Challakere. Thereafter, he filed a claim petition being M.V.C. No.16/2010 under Section 166 of the Motor Vehicles Act 1988, before the Motor Accident Claims Tribunal at Challakere (for short the 'Tribunal') for compensation.

The Tribunal awarded a compensation of Rs.51,200/- along with interest at the rate of 6% per annum from the date of filing of claim petition till its realisation. Aggrieved by the same, the appellant-claimant preferred appeal being M.F.A. No.7451 of 2011 before the High Court of Karnataka for enhancement of the compensation. The High Court dismissed the said appeal. Being aggrieved, the

appellant preferred this appeal by special leave.

We have heard learned counsel appearing for the parties and perused the record.

After considering the entire facts of the case, we are of the opinion that the compensation awarded by the Tribunal and affirmed by the High Court, needs further enhancement keeping in view the injuries sustained by the appellant.

We, therefore, dispose of this appeal by enhancing compensation to a sum of Rs.1,50,000/- (Rupees one lakh and fifty thousand only) inclusive of the amount of interest awarded by the courts below.

Needless to say that if the amount of compensation already paid to the appellant-claimant, the same shall be adjusted from the enhanced amount awarded by this Court.

We further direct the respondents that the enhanced compensation shall be paid to the appellant within a period of six weeks from today.

.....J
[S. A. BOBDE]

.....J
[L. NAGESWARA RAO]

NEW DELHI;
SEPTEMBER 01, 2017.

ITEM NO.11

COURT NO.7

SECTION IV-A

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). 10609/2016

(Arising out of impugned final judgment and order dated 22-07-2015 in MFA No.7451/2011 passed by the High Court Of Karnataka At Bangalore)

B.M. AMRUTESH

Petitioner(s)

VERSUS

THE DEPOT MANGER, K.S.R.T.C. AND ORS.

Respondent(s)

(IA No.82254/2017-PERMISSION TO FILE ADDITIONAL DOCUMENTS and IA No.82255/2017-EXEMPTION FROM FILING O.T.)

Date : 01-09-2017 This petition was called on for hearing today.
CORAM :

HON'BLE MR. JUSTICE S.A. BOBDE
HON'BLE MR. JUSTICE L. NAGESWARA RAO

For Petitioner(s) Mr. C.B. Gururaj, Adv.
Mr. Amit J. Sharma, Adv.
Mr. Prakash Ranjan Nayak, AOR

For Respondent(s) Mr. S. N. Bhat, AOR
Mr. A. N. Arora, AOR

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

Leave granted.

The appeal is disposed of in terms of the signed order.

As a sequel to the above, pending interlocutory applications,
if any, stand disposed of.

(SANJAY KUMAR-II)
COURT MASTER (SH)

(INDU KUMARI POKHRIYAL)
BRANCH OFFICER

(Signed Order is placed on the file)