

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9110 OF 2015
(Arising out of SLP(C) No 13391 of 2015)

JANKU DEVI AND ORS. . .APPELLANT(S)

VERSUS

MANAGING DIRECTOR HIMACHAL ROAD
TRANSPORT CORPORATION LIMITED
SHIMLA, HIMACHAL PRADESH . .RESPONDENT(S)

O R D E R

1. Leave granted.
2. This appeal is directed against the judgment and order passed by the High Court of Himachal Pradesh at Shimla in FAO No.482 of 2010, dated 21.11.2014.
3. The appellants/claimants are the family members of the deceased met with an accident and succumbed to his injuries. On the claim filed by the appellants/claimants, the Motor Accident Claims Tribunal II, Shimla, Camp at Rohru (for short, "the Tribunal") had awarded a compensation of

Rs.5,35,000/- with interest at the rate of 6 per cent per annum from the date of filing of the claim petition.

4. Being aggrieved by the award so passed by the Tribunal, the appellants/claimants preferred appeal before the High Court. The High Court by the impugned judgment and order while sustaining amount of compensation awarded by the Tribunal enhanced the rate of interest from 6 per cent to 7.5 percent. Aggrieved by the order so 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 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 Tribunal as

confirmed by the High Court be further enhanced by another sum of Rs.5,00,000/-.

7. Accordingly, while allowing this appeal we modify the judgment and order passed by the High Court. The appellants/claimants are now entitled for an enhanced amount of Rs.5,00,000/- over and above the compensation awarded by the High Court with interest at the rate of 6 per cent on the enhanced amount from the date of order passed by the High Court.

8. The Civil Appeal is disposed of accordingly.

.....CJI.
[H.L. DATTU]

.....J.
[ARUN MISHRA]

NEW DELHI;
OCTOBER 29, 2015.

ITEM NO.30

COURT NO.1

SECTION XIV

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). 13391/2015

(Arising out of impugned final judgment and order dated
21/11/2014 in FAO No. 482/2010 passed by the High Court Of
Himachal Pradesh At Shimla)

JANKU DEVI AND ORS.

Petitioner(s)

VERSUS

MANAGING DIRECTOR HIMACHAL ROAD TRANSPORT
CORPORATION LTD. SHIMLA H.P

Respondent(s)

Date :29/10/2015 This petition was called on for hearing today.

CORAM :

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

For Petitioner(s) Mr. Kunal Verma, Adv.
Mr. M.C. Dhingra, Adv.

For Respondent(s) Mr. S.L. Gupta, Adv.
Mr. Vikash Chandra, Adv.
Mr. Varinder Kumar Sharma, Adv.
Mr. Dinesh Mohan Sinha, Adv.
Mr. Rajeeb Kr. Sahu, Adv.
Mr. Rajeev Kumar Deora, Adv.

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

Leave granted.

The appeal is allowed in terms of the
signed order.

[Charanjeet Kaur]
A.R.-cum-P.S.

[Vinod Kulvi]
Asstt. Registrar

[Signed order is placed on the file]