

ITEM NO.18

COURT NO.14

Corrected
SECTION XII

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.2689/2025

[Arising out of impugned final judgment and order dated 05-09-2024 in CMAMD No.838/2019 passed by the High Court of Judicature at Madras at Madurai]

A. VIMALA & ORS.

Petitioner(s)

VERSUS

THE UNITED INDIA INSURANCE COMPANY LTD & ORS.

Respondent(s)

IA No. 19150/2025 - CONDONATION OF DELAY IN FILING

IA No. 19149/2025 - EXEMPTION FROM FILING O.T.

Date : 08-04-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KAROL
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) :Mr. Sujeet Ranjan, Adv.
Mr. Shivkumar, Adv.
Ms. Vaishnavi, Adv.
Mr. A. Radhakrishnan, AOR

For Respondent(s) :Mr. Ashwani Kumar, AOR
Mr. Vishal Bhatnagar, Adv.
Ms. Reena Walia, Adv.
Ms. Lata Walia, Adv.
Ms. Rani Yadav, Adv.

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

1. Petitioner lays challenge to the judgment dated 05.09.2024 in CMA (MD) No.838 of 2019 passed by the High Court of Judicature at Madras, Bench at Madurai.

2. In a petition preferred by the claimants in relation to the death of Mr. Lohidhas, the Tribunal quantified the total compensation due and payable to the claimants at Rs.13,32,000/- plus interest at the rate of 7.5% from the date of filing of the claim petition. On an appeal preferred by the Insurer, the High Court has reduced the amount of compensation to a sum of Rs.7,92,200/-. However, insofar as the question of interest is concerned, we find that the impugned award dated 20.07.2017 is silent. Having given thoughtful consideration to the attending facts and circumstances, as also the submissions made across the Bar, we are of the considered view that ends of justice would be met if the amount of compensation is enhanced to a sum of Rs.10,00,000/- with interest as awarded by the Tribunal. This in our considered view is a compensation which is just, fair and reasonable which would be payable to the claimants. The amount of compensation be remitted to the claimants within a period of four weeks.

3. Learned counsel for the petitioner undertakes to furnish bank accounts details to the counsel for the respondents within a period of one week.

(VIJAY KUMAR)
ASTT. REGISTRAR-cum-PS

(ANU BHALLA)
COURT MASTER (NSH)

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.2689/2025

[Arising out of impugned final judgment and order dated 05-09-2024 in CMAMD No.838/2019 passed by the High Court of Judicature at Madras at Madurai]

A. VIMALA & ORS. Petitioner(s)

VERSUS

THE UNITED INDIA INSURANCE COMPANY LTD & ORS. Respondent(s)

IA No. 19150/2025 - CONDONATION OF DELAY IN FILING

IA No. 19149/2025 - EXEMPTION FROM FILING O.T.

Date : 08-04-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SANJAY KAROL
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s) :Mr. Sujeet Ranjan, Adv.
Mr. Shivkumar, Adv.
Ms. Vaishnavi, Adv.
Mr. A. Radhakrishnan, AOR

For Respondent(s) :Mr. Ashwani Kumar, AOR
Mr. Vishal Bhatnagar, Adv.
Ms. Reena Walia, Adv.
Ms. Lata Walia, Adv.
Ms. Rani Yadav, Adv.

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

1. Petitioner lays challenge to the judgment dated 05.09.2025 in CMA (MD) No.838 of 2019 passed by the High Court of Judicature at Madras, Bench at Madurai.

2. In a petition preferred by the claimants in relation to the death of Mr. Lohidhas, the Tribunal quantified the total compensation due and payable to the claimants at Rs.13,32,000/- plus interest at the rate of 7.5% from the date of filing of the claim petition. On an appeal preferred by the Insurer, the High Court has reduced the amount of compensation to a sum of Rs.7,92,200/-. However, insofar as the question of interest is concerned, we find that the impugned award dated 20.07.2017 is silent. Having given thoughtful consideration to the attending facts and circumstances, as also the submissions made across the Bar, we are of the considered view that ends of justice would be met if the amount of compensation is enhanced to a sum of Rs.10,00,000/- with interest as awarded by the Tribunal. This in our considered view is a compensation which is just, fair and reasonable which would be payable to the claimants. The amount of compensation be remitted to the claimants within a period of four weeks.

3. Learned counsel for the petitioner undertakes to furnish bank accounts details to the counsel for the respondents within a period of one week.

(VIJAY KUMAR)
ASTT. REGISTRAR-cum-PS

(ANU BHALLA)
COURT MASTER (NSH)