

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 8947 OF 2015
(Arising out of SLP(C) No.16670 of 2014)

KANTHAMMA & ORS.

...APPELLANT(S)

VERSUS

UNITED INDIA INSURANCE
COMPANY LTD. & ANR.

...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 Karnataka at Bangalore in M.F.A. No.2395 of 2011, dated 02.08.2012.

3. The appellants/claimants are the family members of the deceased, who met with an accident and succumbed to his injuries. On the claim made by the claimant, the Motor Accident Claims Tribunal, Chickballapur (for short, "the Tribunal") had awarded a compensation of Rs.3,95,000/- with interest at the rate of 6% per annum.

4. Being aggrieved by the compensation so awarded by the Tribunal, the appellants/claimants preferred an appeal before the High Court for enhancement of the compensation. The High Court, by its impugned judgment and order has allowed the appeal filed by the appellants/claimants and enhanced the compensation from Rs.3,95,000/- to Rs.5,90,000/-.

5. Aggrieved by the judgment and order so passed by the High Court the appellants/claimants are before us.

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

7. After carefully going through the impugned 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 deem it appropriate to further enhance the compensation by Rs.1,00,000/-.

8. Accordingly, while allowing the appeal filed by the appellants/claimants, we enhance the compensation by Rs.1,00,000/-, over and above the award so passed by the High Court, with interest at the rate of 6% per annum on the enhanced amount from the date of the order passed by the High Court.

9. The Civil Appeal is disposed of accordingly.

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

.....J.
(ARUN MISHRA)

NEW DELHI,
OCTOBER 27, 2015.

ITEM NO.46

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

Petitions for Special Leave to Appeal (C) Nos. 16670/2014

(Arising out of impugned final judgment and order dated 02/08/2012 in MFA No. 2395/2011 passed by the High Court of Karnataka at Bangalore)

KANTHAMMA & ORS

Petitioner(s)

VERSUS

UNITED INDIA INS.CO.LTD.& ANR

Respondent(s)

Date : 27/10/2015 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE ARUN MISHRA

For Petitioner(s) Mr. Parikshit P. Angadi,Adv.
For Mr. V. N. Raghupathy,Adv.

For Respondent(s) Mr. A. K. Raina,Adv.
Mr. A. K. Kaul,Adv.
For Dr. Kailash Chand,Adv.

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

Leave granted.

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

Pending application(s), if any, stand
disposed of.

(Neetu Khajuria)
Sr.P.A.

(Vinod Kulvi)
Assistant Registrar

(Signed order is placed on the file)