

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).8940 OF 2015  
(Arising out of SLP(C) No.17788 of 2014)

KAVITHA & ORS.

...APPELLANT (S)

VERSUS

M/S. ORIENTAL INSURANCE  
COMPANY LTD. & ANR.

...RESPONDENT (S)

O R D E R

1. Ms. Neerja Sachdeva, learned counsel, who is present in Court and appears for the Insurance Company is directed to accept notice on behalf of the Oriental Insurance Company Limited in this matter.

2. Leave granted.

3. This appeal is directed against the judgment and order passed by the High Court of Karnataka at Bangalore in M.F.A. No.9659 of 2012, dated 26.02.2014.

4. 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, Bangalore (for short, "the Tribunal") had awarded a compensation of Rs.34,95,856/- with interest at the rate of 6% per annum.

5. 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.34,95,088/- to Rs.39,40,088/- along with interest at 6% per annum on the enhanced amount.

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

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

8. 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.10,00,000/-.

9. Accordingly, while allowing the appeal filed by the appellants/claimants, we enhance the compensation by Rs.10,00,000/-, 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.

10. Insurance Company is directed to settle the professional fees of Ms. Neerja Sachdeva, learned counsel, at the earliest.

11. The Civil Appeal is disposed of accordingly.

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

.....J.  
(ARUN MISHRA)

NEW DELHI,  
OCTOBER 27, 2015.

ITEM NO.53

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. 17788/2014

(Arising out of impugned final judgment and order dated 26/02/2014 in MFA No. 9659/2012 passed by the High Court Of Karnataka At Bangalore)

KAVITHA &amp; ORS.

Petitioner(s)

VERSUS

M/S. ORIENTAL INSURANCE CO. LTD. &amp; ANR.

Respondent(s)

(with interim relief and office report)

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. G.V. Chandrashekar, Adv.  
Ms. Anjana Chandrashekar, Adv.

For Respondent(s) Ms. Neerja Sachdeva, Adv.

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

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)

\*Appearance Slip not given.