

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9431 OF 2013  
(@ SPECIAL LEAVE PETITION (C) NO.3970 OF 2013)

VENUGOPAL

APPELLANT

VERSUS

THE DIVISIONAL MANAGER,  
ORIENTAL INSURANCE CO.LTD. & ANR.

RESPONDENTS

O R D E R

1. Since learned counsel for the respondents is not present before the Court, we now request Shri S.L. Gupta, learned counsel to take notice on behalf of respondent No.1.

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. 143 of 2009(MVC), dated 08.03.2012 whereby the High Court has enhanced the compensation awarded by the Motor Accidents Claims Tribunal, Bangalore (for short 'the Tribunal') by another sum of Rs.15,300/- and awarded a total compensation of Rs.1,51,900/- with interest at the rate of 6 per cent.

4. The appellant/claimant while riding on a motor cycle met with an accident and sustained grievous injuries. On the claim made by the appellant/ claimant, the Tribunal had awarded a compensation of Rs.1,36,600/- with interest at the rate of 6 per cent from the date of filing the claim petition before the Tribunal till the actual date of payment.

5. Being aggrieved by the compensation so awarded by the Tribunal, the appellant/claimant had preferred an appeal before the High Court. By the impugned judgment and order, the High Court had partly allowed the appeal filed by the appellant/ claimant and modified the award to the extent that the claimant is entitled for total compensation of Rs.1,51,900/- as against Rs.1,36,600/- as awarded by the Tribunal with interest at the rate of 6 per cent. Aggrieved by the judgment and order passed by the High Court the appellant/claimant is before us in this civil appeal.

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

7. After carefully going through the judgment(s) and order(s) passed by the Tribunal as well as by the High Court and in view of the peculiar facts and circumstances of the case, we are of the opinion that the amount of compensation awarded by the High Court needs to be enhanced to a further sum of Rs.1,00,000/-.

8. Accordingly, while allowing this appeal we set aside the judgment(s) and order(s) passed by the Courts below. The appellant/claimant is now entitled for a total compensation of Rs.2,51,900/- after deducting the amount already paid, if any, with interest at the rate of 6 per cent per annum from the date of the order passed by the Tribunal.

9. The Civil Appeal is disposed of accordingly.

.....J.  
(H.L. DATTU)

.....J.  
(M.Y. EQBAL)

NEW DELHI;  
OCTOBER 23, 2013  
ITEM NO.63

COURT NO.4

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

Petition(s) for Special Leave to Appeal (Civil) No(s).3970/2013

(From the judgement and order dated 08/03/2012 in MFA No.143/2009 of the  
HIGH COURT OF KARNATAKA AT BANGALORE)

VENUGOPAL

Petitioner(s)

VERSUS

DIVISIONAL MANAGER, ORIENTAL INS. CO LTD

Respondent(s)

(With appln(s) for c/delay in filing SLP and office report )

Date: 23/10/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE H.L. DATTU  
HON'BLE MR. JUSTICE M.Y. EQBAL

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

For Respondent(s) Mr.S.L.Gupta, Adv.  
Mr.S.S.GUpta, Adv.  
Mr.D.P.Singh Yadav, Adv.  
For Ms.Shalu Sharma, Adv

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

Delay condoned.

Leave granted.

The Civil Appeal is allowed, in terms of the signed order.

(G.V.Ramana)  
Court Master  
(signed order is placed on the file)

(Vinod Kulvi)  
Asstt.Registrar