

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).9983/2016

(Arising out of impugned final judgment and order dated 29-01-2016
in MACA No.88/2016 passed by the High Court Of Delhi At New Delhi)

TASLIM PARVIN & ANR.

Petitioner(s)

VERSUS

(SMT.) USHA DEVI & ANR.

Respondent(s)

(FOR ON IA 2/2017)

Date : 22-12-2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
[VACATION BENCH]

For Petitioner(s) Ms. Manjeet Chawla, Adv. [AOR]

For Respondent(s) Mr. Manish Pratap Singh, Adv. for
Dr. Nafis A. Siddiqui, Adv. [AOR]UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is disposed of in terms of the signed order. There
shall be no order as to costs.(Subhash Chander)
AR-cum-PS(Jagdish Chander)
Court Master

[Signed Order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.24072 OF 2017

[Arising out of S.L.P.(C)No.9983 of 2016]

Taslim Parvin & Anr.Appellants

Versus

(Smt.) Usha Devi & Anr.Respondents

O R D E R

Leave granted

Heard Ms. Manjeet Chawla, learned counsel for the appellants and Mr. Manish Pratap Singh, learned counsel on behalf of respondent-insurer.

In the course of hearing, a suggestion was given to Ms. Manjeet Chawla, learned counsel for the appellants whether the claim put forth in the claim petition will stand satisfied if the amount, as awarded by the Motor Accident Claims Tribunal ('the tribunal'), is further enhanced by Rs.2,50,000/- (Rupees two lac fifty thousand). Learned counsel for the appellants accepted the same. Learned counsel for respondent-insurer, however, left it to the discretion of the Court.

Having heard learned counsel for the parties, we direct that the insurer shall deposit the enhanced amount before the tribunal within 12 weeks hence which shall be disbursed in favour of the appellant-claimants in accordance with law laid down by this Court in the case of General Manager, Kerala State Road Transport Corporation Trivandrum v. Susamma Thomas (Mrs.) & Ors. (1994) 2 SCC 176.

If the enhanced amount is not deposited within the stipulated time, it shall carry interest @ 9% p.a. from the date of presentation of the application. If, however, it is deposited within time, no interest shall accrue on the same.

The appeal is disposed of in the above terms. There shall be no order as to costs.

.....CJI.
[DIPAK MISRA]

.....J.
[SANJAY KISHAN KAUL]

New Delhi.
December 22, 2017.