

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2512 OF 2020

(Arising out of SLP (Civil) No.26891 of 2018)

SURENDRA KUMAR SAHU

Appellant

VERSUS

VIRENDRA KUMAR VERMA & ORS.

Respondents

O R D E R

Leave granted.

This appeal challenges the judgment and order dated 22.01.2018 passed by the High Court of Chhattisgarh at Bilaspur in Misc. Appeal (C) No.1119 of 2017.

The appellant was involved in a motor vehicle accident as a result of which his right hand suffered injuries rendering him partially disabled to the extent of 45% permanently.

In the claim petition filed by the appellant, the Motor Accident Claims Tribunal (for short "the Tribunal") found that the appellant was a bright student and had passed his B.A. Examination. The Tribunal computed the compensation payable to the tune of Rs.93,073/- with interest at the rate of 7.5% per annum.

In appeal preferred therefrom, while answering the question whether the compensation awarded was justified or not, the High Court found that the appellant was entitled to additional compensation of Rs.1,81,440/- and accordingly, the appellant has now been held entitled to the compensation of Rs.2,74,513/-.

Considering the fact that the accident has rendered the appellant partially disabled, in our considered view, the appellant is entitled to additional compensation over and above what has been ordered by the Tribunal and the High Court. Considering the totality of the circumstances, in our view, the ends of justice would be met if we direct that additional compensation of Rs.5,00,000/- (Rupees five lakhs only) be made over to the appellant in addition to what has been ordered by the Tribunal and the Appellate Court. Ordered accordingly.

Additional compensation of Rs.5,00,000/- (Rupees five lakhs) shall be paid with interest at the rate of 7.5% per annum as directed by the Courts below.

The appeal stands allowed accordingly. No costs.

.....J.
[UDAY UMESH LALIT]

.....J.
[MOHAN M. SHANTANAGOUDAR]

.....J.
[VINEET SARAN]

NEW DELHI;
JUNE 05, 2020

ITEM NO.28

VIRTUAL COURT NO.2

SECTION IV-A

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 for Special Leave to Appeal (C) No.26891/2018

(Arising out of impugned final judgment and order dated 22-01-2018 in MA No.1119/2017 passed by the High Court Of Chhatisgarh At Bilaspur)

SURENDRA KUMAR SAHU

Petitioner(s)

VERSUS

VIRENDRA KUMAR VERMA & ORS.

Respondent(s)

Date : 05-06-2020 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE UDAY UMESH LALIT
HON'BLE MR. JUSTICE MOHAN M. SHANTANAGODAR
HON'BLE MR. JUSTICE VINEET SARAN

For Petitioner(s) Dr. Rajesh Pandey, Adv.
Ms. Aswathi M.K., AOR

For Respondent(s) Mr. S. K. Verma, AOR
Mr. Vivek Gurnani, Advv.
Mr. Ahmad Ibrahim, Adv.

Mr. Parmanand Gaur, AOR
Mr. Ekansh Bansal, Adv.

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

Leave granted.

The appeal is allowed, in terms of the Signed Order.

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

(MUKESH NASA)
COURT MASTER

(PRADEEP KUMAR)
BRANCH OFFICER

(Signed Order is placed on the File)