

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).18605/2017

(Arising out of impugned final judgment and order dated 20-01-2017 in FAO No.1972/2004 passed by the High Court Of Punjab &amp; Haryana At Chandigarh)

PARMESHWAR MANDAL

Petitioner(s)

VERSUS

RATTI RAM &amp; ORS.

Respondent(s)

Date : 07-12-2017 This petition was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE A.M. KHANWILKAR  
HON'BLE DR. JUSTICE D.Y. CHANDRACHUD

Mr. Mahabir Singh, Sr. Adv. [A.C.]

For Petitioner(s) Mr. Satish Kumar, Adv. [AOR]

For Respondent No.4 Mr. Salil Paul, Adv. for  
Ms. Manjeet Chawla, Adv. [AOR]

Mr. Devender Kumar Saini, AAG, Haryana

Mr. Sanjay Kumar Visen, Adv. [AOR] [N.P.]

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

Leave granted.

The appeal stands disposed of in terms of the signed order.  
There shall be no order as to costs.(Subhash Chander)  
AR-cum-PS(H.S. Parasher)  
Assistant Registrar

[Signed Order if placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.20990 OF 2017

[Arising out of S.L.P. (C)No.18605 of 2017]

Parmeshwar Mandal . . . .Appellant

Versus

Ratti Ram & Ors. . . .Respondents

O R D E R

Though this matter was listed for final disposal, learned counsel for the claimant is not present. As the matter relates to a claim of injured person and the learned counsel for the respondent-insurer is present, we have thought it appropriate to take the assistance of Mr. Mahabir Singh, learned senior counsel as Amicus Curiae and proceed with the hearing.

Leave granted.

It is submitted by Mr. Mahabir Singh, learned senior counsel that the claimant, who is a young man of 26 years, has suffered amputation of left forearm and the compensation granted by the High Court is absolutely low, for it has granted only Rs.2,44,800/-.

Mr. Salil Paul, learned counsel for the respondent-insurer would submit that the accident took place in June 2002 and, therefore, the grant of compensation is justified.

Having heard learned counsel for the parties, we think it appropriate that the insurer should pay a further sum of Rs.5,00,000/- (Rupees five lacs) so that the cause of justice is subserved. Needless to say, the sum of Rs.5,00,000/- is inclusive of interest.

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The enhanced amount shall be deposited by the respondent-insurer before the concerned tribunal within 12 weeks hence which shall be disbursed in favour of the appellant-claimant, on proper identification.

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

Before we part with this case, we must record our appreciation for Mr. Mahabir Singh who has rendered assistance to the Court in the matter.

With the aforesaid modification in the award of the tribunal as enhanced by the High Court, the appeal stands disposed of. There shall be no order as to costs.

.....CJI.  
[DIPAK MISRA]

.....J.  
[A.M. KHANWILKAR]

.....J.  
[Dr. D.Y. CHANDRACHUD]

New Delhi.  
December 07, 2017.