

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S).2541/2020
(Arising out of SLP (C) No(s). 20179/2018)

PRAMOD KUMAR

APPELLANT(s)

VERSUS

VIKRAM SINGH & ANR.

RESPONDENT(s)

O R D E R

Leave granted.

The appellant has suffered amputation of his left hand below the shoulder. The Tribunal has awarded Rs.5,37,000/- along with 7% interest thereon as compensation. The appeal filed by the appellant for enhancement of compensation was dismissed by the High Court on the ground of delay and latches. Hence, the present appeal questioning both the orders.

Appellant/claimant was a labourer as on the date of the accident. There is no concrete evidence about his earning. Though he tried to improve his case by filing an additional affidavit to the effect that he was working as a driver of taxi, he could not produce driving license in his favour. Be that as it may. Having regard to the fact that the claimant was 38 years of age as on the date of the accident and was working as a labourer, as also keeping in view all other relevant circumstances, such as the accident

was of the year 2004 etc., we are of the considered opinion that the compensation awarded by the Tribunal is on the lessor side. Respondent no.1 who is saddled with the liability to pay the compensation did not appear, though served.

Having regard to the totality of the facts and circumstances of the case, it would be appropriate if the compensation is enhanced to Rs.7,00,000/- from Rs. 5,37,000/-. Ordered accordingly.

We make it clear that the enhanced compensation of Rs.1,63,000/- shall carry 7% interest as ordered by the Tribunal.

The appeal stands disposed of accordingly.

.....J.
[MOHAN M. SHANTANAGUDAR]

.....J.
[VINEET SARAN]

NEW DELHI;
JUNE 09.2020.

