

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 4389 OF 2017  
(Arising out of SLP(C)No.25345 of 2016)

G RAMESH KUMAR . . . APPELLANT (S)

VERSUS

C. RAVICHANDRAN AND ANR . . . RESPONDENT (S)

O R D E R

1. Leave granted.
2. Aggrieved by the reduction of compensation made by the High Court, the injured claimant (G.Ramesh Kumar) is in appeal before us.
3. We have heard the learned counsels for the parties.
4. Limited notice was issued on the question of the reduction of the percentage of disability from 60% to 50% and the change of multiplier from 17 to 16 as made by the High Court.
5. Insofar as the reduction of percentage of disability is concerned, we have considered the reasons recorded by the High Court in the impugned order for its

conclusions in the matter. We find no infirmity in the said decision.

6. However, having regard to the provisions of the second schedule of the Motor Vehicles Act, 1988 and the age of the injured i.e. 34 years, we are of the view that the appropriate multiplier to be adopted is 17 and not 16, as ordered by the High Court. We, therefore, modify the aforesaid part of the order of the High Court.

7. So far as compensation awarded under the head 'Pain and suffering' is concerned, having regard to the nature of the injuries suffered and the period of hospitalization, we are of the view that compensation under the said head should be enhanced by another Rs.50,000/-.

8. For the same reasons, the attendant charges awarded, in our considered view, should be Rs.1,00,000/- and not Rs.25,000/-. The appellant will now be entitled to the balance of Rs.75,000/- under the head 'Attendant Charges'.

9. The aforesaid additional compensation in terms of the present order will carry interest at the rate of 8% per annum from the date of filing of the claim petition till the date of payment, which shall be paid by the Insurance Company within a period of four weeks from today to the appellant-claimant, failing which the interest on the said amount will stand enhanced to 12% per annum. We order accordingly.

10. The order passed by the High court is modified and the appeal is partly allowed as indicated above.

.....,J.  
(RANJAN GOGOI)

.....,J.  
(NAVIN SINHA)

NEW DELHI  
MARCH 23, 2017

REVISED

ITEM NO.9

COURT NO.4

SECTION XII

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). 25345/2016

(Arising out of impugned final judgment and order dated 18/03/2016  
in CMA No. 2210/2010 passed by the High Court Of Madras)

G RAMESH KUMAR

Petitioner(s)

VERSUS

C. RAVICHANDRAN AND ANR.

Respondent(s)

(With interim relief and office report)

Date : 23/03/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE RANJAN GOGOI  
HON'BLE MR. JUSTICE NAVIN SINHAFor Petitioner(s) Mr. T. Harish Kumar, Adv.  
Mr. Navneet Dugar, Adv.  
Mr. Biju Takeppen, Adv.For Respondent(s) Mr. Rajt Khattry, Adv.  
Mr. Vivek Kishore, Adv.UPON hearing the counsel the Court made the following  
O R D E R

Leave granted.

The appeal is partly allowed in terms of the  
signed order.Pending application, if any, shall stand  
disposed of.(Neetu Khajuria)  
Court Master(Asha Soni)  
Court Master

(Signed order is placed on the file.)

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Ms. Anushree Menon, Adv.

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(Neetu Khajuria)  
Court Master

(Asha Soni)  
Court Master

(Signed order is placed on the file.)