

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL No.19978 OF 2017
(Arising out of SLP(C)No.31650 of 2016)

MALLESHAPPA AND ANR.

.....APPELLANTS

VERSUS

ORIENTAL INSURANCE CO. LTD. AND ORS.

.....RESPONDENTS

O R D E R

Leave granted.

Heard Mr.K.V.Muthu Kumar, learned counsel for the appellants and Mr.K.K.Bhat, learned counsel for respondent No.1 - Insurer.

In the course of hearing, a suggestion was given to the learned counsel for the appellants that if the amount of compensation is enhanced to Rs.4,50,000/- (Rupees four lakh fifty thousand only) whether the claim be satisfied. Learned counsel for the appellants submitted that the appellants would be satisfied with the said amount. Learned counsel for respondent No.1-Insurer left it to the discretion of the Court.

Having heard learned counsel for the parties and having perused the materials on record, it is directed that respondent No.1-Insurer shall deposit Rs.4,50,000/- (Rupees four lakh fifty thousand only) minus the amount that has already been deposited

(i.e. Rs.1,15,000/-) before the Tribunal within eight weeks hence, failing which the enhanced amount shall carry interest at the rate of 9% per annum from the date of presentation of the application before the Tribunal.

With the aforesaid modification in the award, 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;
NOVEMBER 29, 2017.

ITEM NO.5

COURT NO.1

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(s) for Special Leave to Appeal (C) No(s).31650/2016

(Arising out of impugned final judgment and order dated 19-01-2016 in MFA No.4635/2010 passed by the High Court of Karnataka at Bangalore)

MALLESHAPPA AND ANR.

Petitioner(s)

VERSUS

ORIENTAL INSURANCE CO. LTD. AND ORS.

Respondent(s)

Date : 29-11-2017 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

For Petitioner(s) Mr. K. V. Muthu Kumar, Adv.
Mr.Amith J., Adv.

For Respondent(s) Mr.K.K.Bhat, Adv.
Mr. Ranjan Kumar Pandey, AOR

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 is placed on the file)