

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 24086/2017
(arising out of SLP (C) No. 27262/2017)

JANKI DEVI

Appellant

VERSUS

THE NEW INDIA ASSURANCE CO. LTD & ORS.

Respondents

O R D E R

Leave granted.

In the course of hearing, a suggestion was given to Mr. D.S. Bora, learned counsel appearing for the appellant whether the enhancement of the amount to Rs.15,00,000/- (Rupees fifteen lacs only) will satisfy the claim put forth in the appeal. Learned counsel accepted the same. Mr. S.L. Gupta, learned counsel appearing for the insurer, left it to the discretion of the Court.

In view of the aforesaid, the amount awarded is enhanced to sum of Rs.15,00,000/- (Rupees fifteen lacs only). We have been apprised that an amount of Rs.5,00,000/- (Rupees five lacs only) has been deposited. If the same has been deposited and withdrawn with interest, the same shall be adjusted against the principal sum. The balance amount shall be deposited before the Tribunal within twelve weeks hence which shall be disbursed in favour of the appellant, keeping in view the judgment of

this Court in *General Manager, Kerala State Road Transport Corporation, Trivandrum vs. Susamma thomas (Mrs.) & Ors., (1994) 2 SCC 176*. If the amount is not deposited within the time frame, it shall carry interest at the rate of 9% per annum from the date of application before the Tribunal.

With the aforesaid modification in the award passed by the tribunal, which has been further modified by the High Court, the appeal stands disposed of. There shall be no order as to costs.

.....CJI.
[Dipak Misra]

.....J.
[Navin Sinha]

New Delhi;
December 26, 2017.

ITEM NO.5

COURT NO.1

SECTION X

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. 27262/2017

(Arising out of impugned final judgment and order dated 05-07-2017 in AFO No. 355/2015 passed by the High Court Of Uttarakhand At Nainital)

JANKI DEVI

Petitioner

VERSUS

THE NEW INDIA ASSURANCE CO. LTD & ORS.

Respondents

(FOR EXEMPTION FROM FILING O.T. ON IA 103468/2017 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS ON IA 103470/2017)

Date : 26-12-2017 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE NAVIN SINHA

For Petitioner

Mr. D.S. Bora, Adv.
Mr. Harish Chandra Pant, Adv.
Mr. Anis Ahmed Khan, AOR

For Respondents

Mr. S.L. Gupta, Adv.
Mr. Varinder Kumar Sharma, AOR
Mr. Bikash Chandra, Adv.
Mr. Kuldeep Singh Tomar, Adv.
Mr. Ram Kishore Gupta, Adv.
Mr. Inder Mohan Singh, Adv.

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

Leave granted.

The appeal is disposed of in terms of the signed order.

Pending interlocutory applications, if any, also stand disposed of.

(Deepak Guglani)
Court Master

(Jagdish Chander)
Court Master

(Signed order is placed on the file)