

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).32598/2016

(Arising out of impugned final judgment and order dated 18-02-2013 in MA No.4952/2009 passed by the High Court Of M.P., Principal Seat At Jabalpur)

RAM PRATAP KUSHWAHA

Petitioner(s)

VERSUS

NARENDRA PRATAP SINGH & ANR.

Respondent(s)

Date : 06-12-2017 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. CHANDRACHUDFor Petitioner(s) Mr. Devendra Singh, Adv.
Mr. Vivek Narayan Sharma, Adv. [AOR]

For Respondent No.1 Not represented.

No.2 (Insurance Co.) Mr. Rohit K. Sinha, Adv. for
Mr. Sanjay Kumar Singh, Adv. [AOR]UPON hearing the counsel the Court made the following
O R D E R

Leave granted.

The appeal is allowed in part, in terms of the signed order.
No order as to costs.(Subhash Chander)
AR-cum-PS(H.S. Parasher)
Assistant Registrar

[Signed Order is placed on the file]

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.20928 OF 2017

[Arising out of S.L.P. (C)No.32598 of 2016]

Ram Pratap KushwahaAppellant

Versus

Narendra Pratap Singh & Anr. . . .Respondents

O R D E R

Leave granted.

Heard Mr. Devendra Singh, learned counsel for the appellant and Mr. Rohit K. Sinha, learned counsel for respondent no.2-insurer.

The present appeal depicts a picture which is quite sad. A young man aged about 25 years met with an accident and suffered permanent disability, but the High Court, by some kind of guesswork, has granted compensation of Rs.2,86,400/- by enhancing the amount awarded by the tribunal by Rs.90,000/-.

In the course of hearing, we asked learned counsel for the appellant whether the claim put forth in the claim petition will stand satisfied if the amount, as enhanced by the High Court, is enhanced by a further sum of Rs.7,00,000/- to which he agreed. Learned counsel for the respondent-insurer, however, left it to our discretion.

Having heard learned counsel for the parties, we direct that the insurer shall deposit a further sum of Rs.7,00,000/- before the tribunal within 12 weeks which shall be disbursed in favour of the appellant-claimant on proper identification.

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

The appeal is accordingly allowed in part. The award passed by the tribunal that has been modified by the High Court stands modified accordingly. No order as to costs.

.....CJI.
[DIPAK MISRA]

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

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

New Delhi.
December 06, 2017.