

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.24096 OF 2017
(Arising out of S.L.P.(C) No.34237 of 2017)

Smt. Omwati and Others

Appellant(s)

Versus

Uttar Pradesh State Road Transport
Corporation

Respondent(s)

O R D E R

Leave granted.

In the course of hearing, a suggestion was given to Ms. Aruna Mehta, learned counsel appearing for the appellant whether the enhancement of the amount to Rs.16,75,000/- (Rupees sixteen lacs seventy-five thousand only) will satisfy the claim put forth in the appeal. Learned counsel accepted the same. Learned counsel appearing for the respondent, left it to the discretion of the Court.

In view of the aforesaid, the amount awarded is enhanced to Rs.16,75,000/- (Rupees sixteen lacs seventy-five thousand only) with the stipulation that the same shall be deposited within eight weeks hence, before the Tribunal, failing which it shall carry interest at the rate

of 9% per annum from the date of application before the Tribunal. The amount deposited shall be disbursed in favour of the appellant on proper identification.

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.

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.24097 OF 2017
(Arising out of S.L.P.(C) No.19217 of 2017)

Shobha Amarsingh Rajput

Appellant(s)

Versus

United India Insurance Co. Ltd.
and Another

Respondent(s)

O R D E R

Leave granted.

Heard Mr. Abhik Chimni, learned counsel for the appellant and Ms. Nanita Sharma, learned counsel for the respondent-insurer.

In the course of hearing, a suggestion was given to Mr. Chimni, learned counsel appearing for the appellant whether a lump sum amount of Rs.58,00,000/- (Rupees fifty-eight lacs only) will satisfy the claim put forth in the appeal. Learned counsel accepted the same. Learned counsel appearing for the respondent, left it to the discretion of the Court.

In view of the aforesaid, a lump sum amount of Rs.58,00,000/- (Rupees fifty-eight lacs only) is awarded to

the claimant with the stipulation that the same shall be deposited within eight weeks hence and the tribunal is directed to disburse the same in accordance with the principle enshrined in General Manager, Kerala State Road Transport Corporation, Trivendrum vs. Susamme Thomas and Others (1994) 2 SCC 176. If the amount as indicated aforesaid, is not deposited within time stipulated herein, the same shall accrue interest @ 9% from the date of presentation of the application before the tribunal. If any amount has already been deposited, the same shall be adjusted against amount awarded by this Court. Be it clarified that only the principal sum so deposited shall be adjusted towards the enhanced amount.

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.14

COURT NO.1

SECTION XIV

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.34237/2016

(Arising out of impugned final judgment and order dated 22-03-2016 in MACAP No. 1028/2014 passed by the High Court of Delhi at New Delhi)

OMWATI & ORS.

Petitioner(s)

VERSUS

UTTAR PRADESH STATE ROAD TRANSPORT CORPORATION

Respondent(s)

WITH S.L.P.(C) No.11439/2017 (XII)S.L.P.(C) No.19217/2017 (IX)

(With appln.(s) for c/delay in filing SLP)

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

CORAM :

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

For Petitioner(s) Mr. Abhishek Kumar Gola, Adv.
Mr. Viresh B. Saharya, AOR
Mr. V.B. Sharya, Adv.

Ms. Aruna Mehta, Adv.
Ms. Manjeet Chawla, AOR

Mr. Abhik Chimni, Adv.
Mr. Tishampati Sen, AOR

For Respondent(s) Mr. P.B. Suresh, Adv.
Mr. Vipin Nair, AOR
Mr. Abhay Pratap Singh, Adv.

Ms. Garima Prashad, AOR
Mr. Shahi, Adv.

Mrs. Nanita Sharma, AOR

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

S.L.P.(C) Nos.34237 & S.L.P.(C) No.19217/2017

Leave granted.

The appeals are disposed of in terms of the signed order.

S.L.P.(C) No.11439 of 2017

Heard Mr. Abhishek Kumar Gola, learned counsel for the petitioner-insurer and Mr. Abhay Pratap Singh, learned counsel for the respondent.

Having heard learned counsel for the parties, we are not inclined to interfere with the order impugned in the special leave petition and it is, accordingly, dismissed.

(Chetan Kumar)
Court Master

(H.S. Parasher)
Assistant Registrar

(Two signed orders are placed on the file)