

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

Civil Appeal No. 762/2017

UNITED INDIA INSURANCE CO. LTD.

Appellant

VERSUS

APURVA KALIA & ORS.

Respondents

O R D E R

The present appeal challenges the judgment and order dated 22.4.2016 passed by the High Court of Punjab and Haryana at Chandigarh in FAO No. 3844/2001, whereby the High Court has remanded the matter back to Motor Accident Claims Tribunal, Patiala for computation of the income. Suffice it to mention, the factum of accident and the liability of the insurer is not disputed. The dispute centres around the quantum.

In the course of hearing, a suggestion was given to Mr. P.P. Malhotra, learned senior counsel appearing for the appellant-insurance company to determine the lumpsum amount of compensation at Rs.13,90,000/- (Rupees thirteen lacs ninety thousand only). Learned counsel accepted the same. Mr. A. Tewari, learned counsel appearing for the respondent no. 1, left it to the discretion of the Court.

In view of the aforesaid, the total amount of compensation is determined at Rs.13,90,000/- (Rupees thirteen lacs ninety thousand only). The amount shall be

deposited before the Tribunal within twelve weeks hence failing which it shall carry interest at the rate of 9% per annum from the date of application before the Tribunal. The amount so deposited shall be disbursed in favour of the respondent no. 1 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.*

In view of the above, 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;
April 11, 2018.

ITEM NO.3

COURT NO.1

SECTION IV

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

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Date : 11-04-2018 This matter 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 Appellant

Mr. P.P. Malhotra, Sr. Adv.
Mr. Yasir Raut, Adv.
Mr. Subandu Kausik, Adv.
Mr. Mohit Paul, AOR

For Respondents

Mr. A. Tewari, Adv.
Ms. Eliza Bar, Adv.
Mr. Purushottam Sharma Tripathi, AOR

Mr. Hetu Arora Sethi, AOR

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

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

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

(Deepak Guglani)
Court Master

(H.S. Parasher)
Assistant Registrar

(signed order is placed on the file)