

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1504 of 2017
(Arising out of SLP(C)No.10516 of 2015)

MOHAMMED ZAKIR MOHAMMED MIYAN IDARIYA Appellant(s)

VERSUS

ABDUL LATIF ABDUL HAKIM IMAM AND ORS. Respondent(s)

CIVIL APPEAL NO. 1510 of 2017
(Arising out of SLP(C) No.10518/2015)

CIVIL APPEAL NO. 1511 of 2017
(Arising out of SLP(C) No.10517/2015)

CIVIL APPEAL NO(S). 1516-1517 of 2017
(Arising out of SLP(C) No(s).12446-12447/2015)

CIVIL APPEAL NO(S). 1518-1519 of 2017
(Arising out of SLP(C) No(s).12450-12451/2015)

CIVIL APPEAL NO. 1520 of 2017
(Arising out of SLP(C) No.12443/2015)

O R D E R

Delay condoned.

Leave granted.

These appeals arise out of claims for compensation under the Motor Vehicles Act, 1988, on account of death/injury in an accident which took place on 24th May, 2005.

We have heard learned counsel for the parties and perused the records.

In the facts and circumstances of the case, we are of the view that the compensation, as awarded, is required to be enhanced as in our view income of deceased/injured needs to be

assessed slightly higher. Without going into the details, we are of view that in appeal arising out of SLP(C)No.10516 of 2015, the compensation be enhanced to Rs.7.50 lakhs. In appeal arising out of SLP(C)No.10517 of 2015 the amount be enhanced to Rs.15 lakhs. In appeal arising out of SLP(C)No.10518 of 2015, the amount be enhanced to Rs.18 lakhs. In appeal arising out of SLP(C)No.12443 of 2015 the amount be enhanced to Rs.10 lakhs AND in appeals arising out of SLP(C)No(s).12446-12447 of 2015 and SLP(C)No(s).12450-12451 of 2015 the amount awarded by the Tribunal be restored. Reduction by the High Court is set aside. The claimants will be entitled to interest, as awarded by the High Court, including on the enhanced amount.

In view of above, the appeals are disposed of. No costs.

Applications, if any, shall also stand disposed of.

.....J.
(ADARSH KUMAR GOEL)

.....J.
(UDAY UMESH LALIT)

New Delhi,
February 6, 2017.

ITEM NO.59

COURT NO.11

SECTION IX

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). 10516/2015

(Arising out of impugned final judgment and order dated 11/03/2014
in FA No. 28/2014 passed by the High Court Of Gujarat At Ahmedabad)

MOHAMMED ZAKIR MOHAMMED MIYAN IDARIYA

Petitioner(s)

VERSUS

ABDUL LATIF ABDUL HAKIM IMAM AND ORS.

Respondent(s)

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

WITH SLP(C) No. 10518/2015

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

SLP(C) No. 10517/2015

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

SLP(C) No. 12446-12447/2015(With appln.(s) for c/delay in filing SLP and appln.(s) for c/delay
in refiling SLP and appln.(s) for exemption from filing c/c of the
impugned judgment and Office Report)SLP(C) No. 12450-12451/2015(With appln.(s) for c/delay in filing SLP and appln.(s) for
exemption from filing O.T. and appln.(s) for exemption from filing
c/c of the impugned judgment and Office Report)SLP(C) No. 12443/2015(With appln.(s) for c/delay in filing SLP and appln.(s) for
exemption from filing O.T. and appln.(s) for permission to file
additional documents and appln.(s) for exemption from filing c/c of
the impugned judgment and Office Report)

Date : 06/02/2017 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s)

Mr. O. P. Bhadani,Adv.

Mr. Jaswant Persoya,Adv.

For Respondent(s)

Mr. Abhishek Kumar,Adv.

Mr. C.K. Gola,Adv.

Ms. Preeti Singh,Adv.

Mr. Nikhil Jain,Adv.

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

Delay condoned. Leave granted.

In terms of the signed order, these appeals are disposed
of.

(MAHABIR SINGH)
COURT MASTER

(VEENA KHERA)
COURT MASTER

(Signed order is placed on the file)