

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.5395 OF 2010
(Arising out of SLP(C) No.15563/2008)

V. PAVITHRAN

Appellant(s)

:VERSUS:

M/S. SIRAF AND ORS.

Respondent(s)

O R D E R

Leave granted.

The appellant was working as a conductor in the Kerala State Road Transport Corporation. He met with an accident on 8.1.1993 in which he suffered serious injuries on the pelvic region. On various heads he claimed a total compensation of Rs.6,98,300/-. The Motor Accident Claims Tribunal ("Tribunal", for short) found that the accident occurred due to negligence on the part of the driver of the vehicle which was insured with the third respondent. But the Tribunal awarded a compensation of only Rs.2,47,500/- to the appellant with interest at the rate of 12% per annum.

Aggrieved by this portion of the award, the appellant filed an appeal before the High Court of Kerala. By the impugned judgment, the High Court partly allowed the appeal and awarded Rs.3,300/- more for

expenses incurred on account of treatment of the appellant. This additional amount of Rs.3,300/- was directed to be deposited by the third respondent - Insurance Company with interest at the rate of 8% per annum.

We have heard the learned counsel appearing on behalf of the parties.

It is submitted by the learned counsel for the respondents that some amount has already been paid to the appellant.

In the facts and circumstances of this case, we deem it appropriate to direct Respondent No.3 to pay Rs.75,000/- to the appellant in full and final settlement of his claim, within six weeks from today. This payment, however, would be over and above the amount which has already been paid to the appellant. This amount shall carry the same rate of interest as was directed by the Tribunal.

This appeal is disposed of accordingly.

.....J
(DALVEER BHANDARI)

.....J
(DEEPAK VERMA)

New Delhi;
July 12, 2010.

ITEM NO.8

COURT NO.4

SECTION XIA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).15563/2008

(From the judgement and order dated 13/12/2007 in MFA
No.231/2001 of the HIGH COURT OF KERALA AT ERNAKULAM)

V. PAVITHRAN

Petitioner(s)

VERSUS

M/S. SIRAF & ORS.

Respondent(s)

(With appln(s) for permission to file additional documents
and with prayer for interim relief)

Date: 12/07/2010 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE DALVEER BHANDARI
HON'BLE MR. JUSTICE DEEPAK VERMA

For Petitioner(s) Mr. C.N. Sreekumar, Adv.
Mr. T.G. Narayanan Nair, Adv.
Mr. K.N. Madhusoodanan, Adv.

For Respondent(s) Mr. Ravi Bakshi, Adv.
Mr. Yash Pal Dhingra, Adv.

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

Leave granted.

Heard the learned counsel appearing on behalf of
the parties.

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

(A.S. BISHT)
COURT MASTER

(NEERU BALA VIJ)
COURT MASTER

(Signed order is placed on the file)