

Rajendra

Vs

Bishamber Nath and Others

Civil Appeal No. of 1996 (Arising out of Slp (C) No. 11322 of 1986)

(N.P. Singh, S.C. Sen JJ)

02.01.1996

ORDER

1. Leave granted.

2. The appellant who was then the student of Class VIII and aged about 15 years, met with an accident by a truck. There is no dispute that he suffered serious injuries and one kidney had to be removed. The Motor Accidents Claims Tribunal, Dhar, awarded an amount of Rs 24,000 which was enhanced by the High Court to Rs 48,000. After hearing counsel for the parties, we are of the opinion that in the facts and circumstances of the present case, the High Court should have awarded an amount of Rs 1,00,000 (Rs. one lakh) as compensation to the appellant. Accordingly, we allow this appeal and direct that an amount of Rs 1,00,000 (Rs one lakh) be paid to the appellant as compensation. The balance amount should be deposited within four weeks before the Motor Accidents Claims Tribunal, Dhar, M.P., in Claim Case No. 44 of 1980. The appellant shall withdraw the said balance amount. No costs.