

SUPREME COURT OF INDIA AIR 2000 3584

V. Mangaleswari

Vs.

V. Balakrishna Reddy

C.A.No.2612 of 2000

(S. B. Majmudar and Y. K. Sabharwal, JJ.)

13.04.2000

ORDER

1. Leave granted.

2. We have heard learned counsel for the appellant and learned counsel for respondent No. 3 the Insurance Company which is the main contesting party finally in this appeal.

3. Looking to the facts and circumstances of the case as the claimant because of the motor accident has lost four fingers of the left hand the award of Rs. 60,000/- by way of compensation granted by the High Court by enhancing the compensation of Rupees 30,000/- granted by the Motor Accident Claims Tribunal, appears to us to be on a little lower side. The learned counsel for the respondent-Insurance Company states that the appellant was not earning anything by playing Veena and it was only her habit. However, the Tribunal itself held that by playing Veena the appellant was earning substantial amount and this is the reason why the High Court thought it fit to enhance the compensation to Rs. 60,000/-. Learned counsel for the respondent-Insurance Company submitted that if the amount of compensation is to be further enhanced, it may be a lump sum amount of Rs.

20,000/- and not more. Considering all the facts and circumstances of the case, we deem it fit to grant an additional amount of Rs. 40,000/- by way of lump sum without any interest which would meet the ends of justice. Therefore, the appeal is allowed by grant of an additional amount of Rs. 40,000/- in lump sum. This amount shall be deposited in the Tribunal within twelve weeks from today for being withdrawn by the appellant on furnishing due identity. The award passed by the Tribunal and as enhanced by the High Court will stand further enhanced to the aforesaid extent with no order as to costs.

Order accordingly.