

**SUPREME COURT OF INDIA**

V.Pavithran

Vs.

Siraf

C.A.No.5395 of 2010

(Dalveer Bhandari and Deepak Verma JJ.)

12.07.2010

**ORDER**

1. Leave granted.

2. 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.

3. 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.

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

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

6. 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.

7. This appeal is disposed of accordingly.