

SUPREME COURT OF INDIA

Sangeeta

Vs.

Krishan Kumar

C.A.No.10167/2018

(Kurian Joseph and A.M.Khanwilkar,JJ.,)

03.10.2018

JUDGMENT

Kurian Joseph,J.,

SLP(C)No.27052 of 2018

1. Leave granted.
2. In the nature of the order we propose to pass, it is not necessary to issue notice to the respondents.
3. The appellants are before this Court seeking enhancement of compensation. The Motor Accident Claims Tribunal, Patiala (for short, 'the Tribunal') granted Rs.9,85,000/- (Rupees Nine Lacs Eightfive Thousand) with interest @ 6% per annum. The High Court enhanced the compensation to Rs.12,12,000/- (Rupees Twelve Lacs Twelve Thousand) with interest @ 9% per annum. It is seen from the decretal portion of the impugned judgment of the High Court that interest @ 9 % per annum is made applicable only on the enhanced portion of the compensation, namely, Rs.2,27,000/- (Rupees Two Lacs Twentyseven Thousand), which appears to be a mistake and in any case unjust.
4. We do not think that we need to issue notice for this purpose to the respondents. Hence, the appeal is partly allowed holding that the appellant shall be entitled to interest @ 9% per annum on the entire amount of compensation granted by the High Court from the date of filing of the claim petition before the Tribunal. The amount already deposited by the Insurance Company will be duly adjusted.
5. Pending applications, if any, shall stand disposed of.
6. There shall be no orders as to costs.