

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5119 OF 2013

(ARISING OUT OF SPECIAL LEAVE PETITION (CIVIL) NO.28566 OF 2012)

C.H.SURYANARAYANA

... APPELLANT

VERSUS

ORIENTAL INSURANCE CO. LTD. & ANR.

... RESPONDENTS

O R D E R

1. Leave granted.

2. This appeal is directed against the judgment and order passed by the High Court of Karnataka, Circuit Bench at Dharwad in M.F.A.No.21957/2009 (MV), dated 27.02.2012. By the impugned judgment and order, the High Court has reduced the compensation that was awarded by the Motor Accident Claims Tribunal (for short 'the Tribunal') from Rs.2,16,000/- to Rs.1,08,000/- with interest thereon.

3. We have heard learned counsel for the parties and also perused the judgment of the High Court in detail.

4. In the peculiar facts and circumstances of the case, we are of the opinion that the High Court ought not to have reduced the compensation that was awarded by the Tribunal. In that view of the matter, while allowing this appeal, we set

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aside the judgment and order passed by the High Court and restore the order passed by the Tribunal.

Ordered accordingly.

NEW DELHI;
JULY 03, 2013



.....J.
(H.L. DATTU)

.....J.
(DIPAK MISRA)

JUDGMENT