

**IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION**

**CIVIL APPEAL NO.194 OF 2016**  
**(Arising out of SLP(C)No.23838 of 2010)**

**UMAPATHY**

**... APPELLANT(S)**

**VS.**

**D.M., NEW INDIA INSURANCE CO.LTD.**

**... RESPONDENT(S)**

**J U D G M E N T**

**ANIL R. DAVE, J.**

1. Leave granted.
2. Heard the learned counsel appearing for the parties.
3. Looking at the facts of the case, in our view, the High Court ought not to have reduced the compensation payable to the appellant, an auto rickshaw driver, who had suffered injury in an accident, especially when the damage had been caused to his eyes.
4. In the aforesaid circumstances, we set aside the impugned judgment delivered by the High Court and restore the order passed by the Workmen Compensation Commissioner.
5. *However, the rate of interest would be 7.5%, which, in our opinion, the High Court has rightly reduced.*

6. The appeal is disposed of as allowed with no costs.  
Pending application, if any, stands disposed of.

.....J.  
[ANIL R. DAVE]

.....J.  
[ADARSH KUMAR GOEL]

New Delhi;  
12<sup>th</sup> January, 2016.



JUDGMENT