

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5115 OF 2009
[Arising out of SLP(C) No. 9201/2009]

REJENDRA

... **APPELLANT(S)**

:VERSUS:

PRADEEP AND OTHERS

... **RESPONDENT(S)**

ORDER

1. Leave granted.
2. The appellant is before us aggrieved by and dissatisfied with the judgment and order dated 21st October, 2008 passed by a Division Bench of the High Court of Judicature of Madhya Pradesh, Indore Bench, Indore in Miscellaneous Appeal No. 2775/2007, whereby and whereunder the appellant was awarded a lump sum compensation of Rs. 1,75,000/- for the injuries sustained by him.
3. The appellant, who is a professor, was travelling in a Qualis jeep. The said vehicle collided with a truck. The appellant suffered serious injuries in his left hand and right leg. Rods had to be inserted in both the limbs. He suffered fractures also in those limbs. Permanent disability suffered by him was assessed at 35% by an orthopedic surgeon. A total sum of Rs. 1,50,137/- was awarded by the Motor

as also the disability. The High Court, however, increased the said sum by way of a lump sum amount to Rs. 1,75,000/- but it did not assign any reason therefor.

4. The Second Schedule appended to the Motor Vehicles Act, 1988 provides that in a case of this nature, the amount of compensation should be calculated in terms thereof. Appellant's income was determined at Rs. 3,000/- per month. As he was aged 25 years on the date of accident, a multiplier of 17 should be applied. Calculating the amount of compensation on that basis, he was entitled to Rs. 2,14,000/- towards the loss of income, which we hereby order. He would also be entitled to the medical expenses incurred by him and compensation on other heads would be granted to him as awarded by the Tribunal.

5. The enhanced amount shall also carry interest at the same rate as was granted by the High Court i.e at the rate of 6% per annum.

6. The appeal is allowed to the extent above mentioned.

.....J
(S.B. SINHA)

.....J
(DEEPAK VERMA)

NEW DELHI,
AUGUST 4, 2009.