

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.9199 OF 2015  
(Arising out of SLP(C)No.27121 of 2015)

PREM AND ORS. ... APPELLANT(S)

VS.

NATIONAL INSURANCE COMPANY LTD. & ORS. ... RESPONDENT(S)

J U D G M E N T

ANIL R. DAVE, J.

1. Leave granted.
2. On 7<sup>th</sup> September, 2015, when this petition has been notified for hearing, the following order was passed :

"Delay condoned.

Issue notice to Respondent No.1 - Insurance Company only, through Speed Post, returnable on 02.11.2015.

Looking at the facts of the case, we are of the view that the compensation awarded to the petitioners is on lower side. In our opinion, appropriate compensation should have been Rs.6 Lakhs.

If Respondent No.1 feels that Rs. 6 Lakhs is the just compensation, it need not appear on the next date of hearing so as to save the cost of litigation and we will presume that the respondent has no objection to the increased amount of compensation and in that event, this Court will increase the compensation to Rs.6 Lakhs.

However, if Respondent No.1 has any objection to the above, it would be open to it to appear on the next date of hearing."

3. Though served, nobody has appeared for Respondent No.1. In the circumstances, we presume that Respondent No.1 has no objection if the amount of compensation is increased to Rs.6 lakhs (Rupees Six Lakhs only).

4. In the circumstances, we increase the compensation payable to the petitioners to Rs.6 lakhs with interest thereupon, as awarded by the Motor Accident Compensation Tribunal.

5. The appeal is allowed with no order as to costs.

6. Pending application, if any, stands disposed of.

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

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

New Delhi;  
2<sup>nd</sup> November, 2015.

JUDGMENT