

**Badri and ors. Vs. Surendra Kumar and ors.**

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**SooperKanoon Citation :** [sooperkanoon.com/771998](http://sooperkanoon.com/771998)

**Court :** Rajasthan

**Decided On :** Sep-10-2001

**Reported in :** 2002ACJ853; 2002WLC(Raj)UC274

**Judge :** J.C. Verma, J.

**Appeal No. :** S.B. Civil Misc. Appeal No. 811 of 1996

**Appellant :** Badri and ors.

**Respondent :** Surendra Kumar and ors.

**Advocate for Def. :** T.P. Sharma and; S.L. Sharma, Advs.

**Advocate for Pet/Ap. :** K.N. Tewari, Adv.

**Disposition :** Appeal allowed

**Judgement :**

**J.C. Verma, J.**

1. This appeal has been filed against the award dated 26.6.1996 passed by the Motor Accidents Claims Tribunal, Jaipur District, Jaipur. The claim petition was filed by the parents of the deceased Kumari Soni who had died in an accident. The age of the deceased at the time of accident was 9 years.

2. The Tribunal after having framed the issues had come to a finding that the deceased had died because of an accident caused by the offending vehicle No. HR 26-A 7648, however, had awarded the amount of compensation as Rs. 50,000 along with interest to be paid at the rate of 12 per cent per annum from 15.2.1993. This appeal has been filed for enhancement of compensation by the parents of the deceased.

3. Learned counsel for the appellants placed reliance upon the judgment rendered in the case of Shyam Lal v. Rajendra Kumar 2001 ACJ 215 (Rajasthan) in which on the death of a child an amount of Rs. 1,50,000 was awarded. In view of the above judgment, the amount of compensation is enhanced to such an amount with the same rate of interest.

4. In view of the above said reasons and discussions, the appeal is allowed and stands disposed of.