

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO.2831 of 2020
(Arising out of SLP (Civil) No.13992/2018)

VED PRAKASH GOEL @ VED GOEL & ANR.

Appellant(s)

VERSUS

S.D. SINGH & ANR.

Respondent(s)

O R D E R

Leave granted.

We have heard learned counsel for the parties.

The manner in which incident occurred shows that the deceased actually came on the wrong side of the single way as the other side of the way was closed. It is this, which has weighed in affixing 50% contributory negligence on the appellants.

In view of the aforesaid, we are not able to persuade ourselves to give the benefit of the entire compensation to the appellants.

We have examined the impugned judgment and all other perspective also and do not find any infirmity except two aspects: (a) the multiplier applied was 13 while as per the judgment in *Sarla Verma & Ors. v. Delhi Transport Corporation & Anr.* - (2009) 6 SCC 121, it should have been 18. This position cannot be disputed by learned counsel for the respondent. (b) The interest granted is of 6% which generally the interest being granted is of 9% including in a recent judgment in the case of *Erudhaya Priya v. State Express*

Transport Corporation Ltd. [Civil Appeal Nos. 2811-2812/2020)
decided on 27th July, 2020.

The aforesaid are the only two aspects on which the impugned judgment is liable to be modified and all other findings are liable to be sustained.

The appeal is accordingly allowed in the aforesaid terms leaving the parties to bear their own costs.

.....J.
(SANJAY KISHAN KAUL)

.....J.
(AJAY RASTOGI)

.....J.
(ANIRUDDHA BOSE)

New Delhi,
July 29, 2020.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 13992/2018

(Arising out of impugned final judgment and order dated 18-12-2017 in MACA No. 730/2006 passed by the High Court of Delhi at New Delhi)

VED PRAKASH GOEL @ VED GOEL & ANR.

Appellant(s)

VERSUS

S.D. SINGH & ANR.

Respondent(s)

(IA No. 70705/2018 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 72549/2019 - EXEMPTION FROM FILING O.T.)

Date : 29-07-2020 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE AJAY RASTOGI
HON'BLE MR. JUSTICE ANIRUDDHA BOSE

For Appellant(s) Mr. Anant Agarwal, Adv.
Ms. Sweta Rani, AOR

For Respondent(s) Mr. Akshay Girish Ringe, AOR
Ms. Megha Mukerjee, Adv.

Mr. Parmanand Gaur, AOR
Mr. Ekansh Bansal, Adv.

UPON hearing the counsel the Court made the following
O R D E R

Heard learned counsel for the parties.

Leave granted.

The appeal is allowed in terms of the signed order.

Pending applications shall also stand disposed of.

(ANITA MALHOTRA)
COURT MASTER

(ANITA RANI AHUJA)
ASSISTANT REGISTRAR

(Signed order is placed on the file.)