

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

MISCELLANEOUS APPLICATION No.1291/2021
IN
SPECIAL LEAVE PETITION (C) No. 20370/2012

MASSIMILANO LATORRE & ORS.

APPELLANT(S)

VERSUS

UNION OF INDIA & ORS.

RESPONDENT(S)

O R D E R

The present application has been preferred by the 7 fishermen out of total 9 affected fishermen (including the minor) seeking apportionment of the compensation awarded to the contesting respondent(s). By order dated 15.06.2021, this Court has directed that the amount of Rs.10 crores lying with the Registry of this Court be transferred to the High Court of Kerala (which was deposited by the Republic of Italy in terms of award dated 21.05.2020), out of which Rs.4 crores be paid to the heirs of each deceased and Rs.2 crores be paid to the Captain and owner of the boat - St. Antony. The dispute is with respect to the amount of Rs.2 crores directed to be paid to the Captain as well as the owner of the boat-St. Antony.

The respective fishermen are claiming apportionment of the amount of compensation out of the aforesaid amount of Rs.2 crores.

Having heard learned counsel appearing on behalf of the respective parties and even considering award dated 21.05.2020 which was towards the compensation to be paid to the heirs of the

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deceased, Captain, owner of the boat and other affected persons like the applicants/fishermen, we direct that out of the amount of Rs.2 crores, which was to be paid to the Captain and the owner of the boat-St. Antony, Rs.5 lakhs each be paid to the respective fishermen (total 9 in number including the minor). The remaining amount of Rs.1,55,000,00/- be paid to the Captain and the owner of the boat.

The aforesaid amount of Rs. 5 lakhs be disbursed by the Registry of the High Court to the respective fishermen (Rs. 5 lakhs each) by an Account Payee Cheque and on proper identification. The remaining amount of Rs.1,55,000,00/- be paid to the Captain and the owner of the boat.

It is reported that the minor claimant has committed suicide. Therefore, his share of Rs.5 lakhs be paid to his heirs on proper identification.

It is further reported that one of the fishermen, namely, Johnson has died during the pendency of present proceedings and, therefore, his share be paid to his heir(s)/widow/applicant no.3.

The order passed by this Court dated 15.06.2021 in SLP (C) No.20370/2012 is hereby modified to the aforesaid extent.

The present application stands disposed of accordingly.

.....J.
(M.R. SHAH)

.....J.
(M.M. SUNDRESH)

New Delhi;
November 25, 2022.

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Miscellaneous Application No. 1291/2021 in SLP(C) No. 20370/2012

(Arising out of impugned final judgment and order dated 15-06-2021
in SLP(C) No.20370/2012 passed by the Supreme Court Of India)

MASSIMILANO LATORRE & ORS.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 76579/2021 - APPROPRIATE ORDERS/DIRECTIONS
IA No. 76572/2021 - INTERVENTION APPLICATION
IA No. 76575/2021 - STAY APPLICATION)

Date : 25-11-2022 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.R. SHAH
HON'BLE MR. JUSTICE M.M. SUNDRESHFor Petitioner(s) Mr. Jagjit Singh Chhabra, AOR
Mr. Saksham Maheshwari, Adv.For Respondent(s) Mr. Tushar Mehta, SG
Ms. Aishwarya Bhati, ASG
Mr. S.A.Haseeb, Adv.
Ms. Suhashini Sen, Adv.
Mr. Rajat Nair, Adv.
Mr. T. S. Sabarish, Adv.
Ms. B. L. N. Shivani, Adv.
Mr. A. K. Sharma, AORMr. Jayanth Muth Raj, Sr. Adv.
Mr. Nishe Rajen Shonker, AOR
Mrs. Anu K Joy, Adv.
Mr. Alim Anwar, Adv.
Mr. Miranda Solaman, Adv.Mr. K. Parmeshwar, Adv.
Mr. A. Karthik, AOR
Ms. Sreepriya K., Adv.
Ms. Smrithi Suresh, Adv.
Mr. Arsh Khan, Adv.Mr. Manish Dembla, Adv.
Mr. Krishna Vijay Singh, Adv.
Mr. K. Krishna Kumar, AOR

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UPON hearing the counsel the Court made the following

O R D E R

The present application stands disposed of in terms of
the signed order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
ASTT. REGISTRAR-cum-PS

(NISHA TRIPATHI)
ASSISTANT REGISTRAR

(signed order is placed on the file)