

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-

M.A.C.M.A.No.1740 of 2005

-

JUDGMENT:

This appeal is filed by the claimants seeking enhancement of compensation of the amount awarded in O.P.No.459 of 2000, dated 19.01.2004, on the file of the Motor Accident Claims Tribunal – cum – II Additional District Judge, Ranga Reddy District.

The Tribunal, on evidence, held that the accident occurred due to rash and negligent driving of the driver of RTC bus. The only point that is raised in the present appeal is the enhancement of quantum of compensation. The Tribunal took the monthly income of the deceased at Rs.2,000/- and after deducting 1/3rd thereof, the annual income was fixed at Rs.16,000/-. The multiplier that was applied was 7.68 for calculating the loss of dependency, and accordingly, an amount of Rs.1,22,880/- was awarded.

Now the learned Counsel for the appellants submits that the multiplier applied by the Tribunal was not correct and the Tribunal should have applied proper multiplier as per the decision in **Smt.Sarla Verma v. Delhi Transport Corporation**.

It is an admitted case that the deceased was aged about 50 years as on the date of the accident on 07.04.2000. In view of the same, the appropriate multiplier should be 12. If the multiplier of 12 is applied, the loss of dependency would come to Rs.1,92,000/-. The Tribunal awarded an amount of Rs.15,000/- towards loss of consortium and another amount of Rs.15,000/- towards loss of estate apart from awarding Rs.3,000/- towards funeral expenses. The said amount is not disturbed. Hence, the amount of compensation payable to the

appellants due to the death of one Sri Mothi Prasad on 07.04.2000 is enhanced to Rs.2,25,000/- with subsequent interest on the enhanced compensation at 9% per annum from the date of the petition till the payment or realization, which ever is earlier.

The appeal is, accordingly, allowed. The miscellaneous petitions pending, if any, shall stand closed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

05.11.2015

vs

-