

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

M.A.C.M.A.No.559 of 2010

JUDGMENT:

The claimants are the parents of the deceased boy by name Vaseem Siddiqui, aged about 14 years as per Ex.A5-Post Mortem Report, maintained the claim under Section 166 of the Motor vehicles Act, for Rs.1,50,000/- against the Managing Director and Depot Manager of APSRTC, in O.P.No.1066 and after contest, the tribunal having held that the claimants are entitled to a compensation of Rs.2,25,000/- however, restricted the claim to Rs.1,50,000/-, impugning the same, they filed present appeal.

2. The learned counsel for the appellants submits that the tribunal ought to have awarded the just compensation, what they are entitled.

3. Whereas, it is the submission of the learned Standing Counsel for the APSRTC that the award of the tribunal holds good and for this Court while sitting in appeal, there is nothing to interfere and hence to dismiss the appeal.

4. Even taken no fault liability of Rs.50,000/- from the age 14 years at Rs.10,000/- per year, Rs.10,000/- towards loss of estate and Rs.25,000/- towards funeral expenses, Rs.2,25,000/- is the just compensation what the tribunal awarded.

5. Accordingly, the appeal is allowed by enhancing the compensation from Rs.1,50,000/- to Rs.2,25,000/- with interest at 7.5% p.a. from the date of petition till realization, subject to payment of deficit court fee before the tribunal, under Rule 475 of the A.P.M.V.Rules, failing which the award cannot be executed. There is no order as to costs.

6. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

Date:30.11.2016
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