

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

MACMA MP No.115 OF 2011

IN/AND

MACMA No.840 OF 2016

JUDGMENT:

Heard and delay condoned subject to condition of not entitled to the interest on the enhanced amount, if any.

02. The appeal is taken up for hearing.

03. Heard the learned counsel for the appellant. Respondents 1 and 2/ claimants even served, failed to attend. R.3, owner of the vehicle, to the appeal remained ex parte before the Tribunal, thereby even dismissed for default no way fatal to the appeal vide expression of the Apex Court in **Meka Chakra Rao v. Yelubandi Babu Rao @ Reddemma And others**^[1].

04. Perused the material on record.

05. The main dispute involved in the appeal is the quantum. The deceased was aged about 13 years not in dispute. Hence, what the Tribunal awarded Rs.2,35,000/- is no way excessive, thereby the appeal is liable to be dismissed confirming the quantum.

06. Accordingly, and in the result, the MACMA MP No.115 of 2011 is allowed and the appeal is dismissed. There shall be no order as to costs.

07. Miscellaneous petitions, if any, pending in this appeal shall stand closed.

Dr. B. SIVA SANKARA RAO, J

22.02.2016
BV

^[1] 2002 ACJ 828