

HON'BLE SMT JUSTICE T.RAJANI

MACMA No.1111 of 2008

JUDGMENT:

This appeal is preferred by the appellants, who are the claimants before the Court below, assailing the judgment, dated 24.4.1996, in Original Petition No.366 of 1991 on the file of the Motor Accident Claims Tribunal-cum-District Judge, Anantapur, on the ground that the compensation awarded by the Court below is inadequate.

Heard learned counsel appearing for both the parties.

Learned counsel for the appellants submits that the claim is laid for a sum of Rs.1,50,000/-, but the Court below awarded only Rs.60,000/- as compensation.

The facts of the case are that the deceased was a Cleaner. The Court below granted Rs.60,000/- as compensation by taking the income of the deceased as Rs.600/- per month, which on the face of it is very low. Any able-bodied person would be able to earn at least Rs.3,000/- per month and the law that is settled by now is on the same lines. Hence, looking from any angle, the award of the Court below granting Rs.60,000/- as compensation by taking the income of the deceased as Rs.600/- per month becomes unsustainable.

Accordingly, the appeal is allowed with proportionate costs and the impugned award of the Court below is set aside, by awarding Rs.1,50,000/- as compensation to the claimants as the assessment on the basis of Rs.3,000/- per month as the income would exceed the claim of Rs.1,50,000/-. This award shall relate back to the date of the decree and the enhanced amount shall carry interest at the rate specified and from the time indicated by the Court below

As a sequel, the Miscellaneous Petitions, if any, shall stand disposed of as infructuous.

20th October, 2017
dr

JUSTICE T.RAJANI

