SMT JUSTICE T. RAJANI

MACMA.No.94 of 2008

JUDGMENT:

This appeal is preferred by the appellant-insurance company, who is the second respondent before the Court below, questioning the judgment of the V Additional District and Sessions Judge, Miryalguda in OP.No.1085 of 200t dated 08.12.2006 on the ground that the Court below failed to deduct the personal expenditure that would have been incurred by the deceased from the income of the deceased and arrived at a figure of Rs.2,47,000/- which is beyond the claim of Rs.2,00,000/- made by the claimants.

2. Heard both the counsel.

3. At the hearing, counsel for the appellant raised only the aforesaid ground while questioning the judgment of the Court below.

4. A perusal of the judgment of the Court below, no doubt, shows that the Court below failed to make any deduction towards personal expenditure of the deceased. But the contention of the counsel for the respondent is that the multiplier '16', which was adopted by the Court below, is the one relevant to the age of the mother of the deceased, while the law as it stands settled today would require the Court to adopt the multiplier, which is relevant to the age of the deceased, which, in this case, would be '18'.

5. Hence, this Court is of the considered opinion that the aforesaid aspect would take care of the grievance of the appellant that no deduction was made towards the personal expenditure of the deceased.

If calculation is made based on the multiplier relevant to the age of the deceased, there may be a slight or no difference in the award amount. Hence, the impugned award need no be interfered with.

Hence, the civil miscellaneous appeal is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

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T. RAJANI, J

September 14, 2017
DSK