

HON'BLE SRI JUSTICE G. SHYAM PRASAD

M.A.C.M.A.No.495 of 2006

ORDER:

This appeal is arising out of the order dated 24-10-2005 in MVOP.No.632 of 2004 on the file of Motor Vehicles Accidents Claims Tribunal-cum-VIII Additional District Judge, (F.T.C.) Guntur.

Learned counsel for the appellant and respondents are not present. This is a case of death of a driver in a motor vehicle accident. The Tribunal held rash and negligent act on the part of the driver of the lorry. The respondent No.1 is the owner of the lorry, and respondent No.2 is insurer of the lorry who are liable to pay compensation, on account of death of deceased, who was working as loading and unloading cooli in lorry bearing No.AP 27 U 2349 which belongs to respondent No.1.

The dispute in this matter is whether the compensation awarded by the Tribunal is just and reasonable?

The Tribunal has rightly appreciated the evidence on record and awarded compensation of Rs.1,70,000/- towards loss of dependency. The Tribunal has also awarded Rs.5,000/- towards loss of estate, which can be reduced to Rs.3,000/-. As far as the funeral expenses are concerned, the Tribunal has rightly awarded Rs.2,000/- which does not require any interference. Therefore, the compensation awarded by the Tribunal is reduced from Rs.1,77,000/- to Rs.1,75,000/- (Rupees one lakh seventy five thousand only).

In the result, the appeal is partly allowed. In consequence, miscellaneous petitions, if any, pending in this appeal, shall stand closed. No order as to costs.

G. SHYAM PRASAD, J

06-01-2017
nvl



