

HON' BLE SRI JUSTICE SURESH KUMAR KAIT

&

HON' BLE SMT JUSTICE T. RAJANI

M.A.C.M.A. No. 259 of 2010

JUDGMENT:- (ORAL)

(Per Hon'ble Sri Justice Suresh Kumar Kait)

This appeal is preferred by the appellants-Corporation against the order and decree dated 26.10.2009 in M.A.T.O.P.No. 306 of 2007 passed by the Motor Accidents Claims Tribunal, Judge, Family Court-cum-Additional District Judge, Khammam, whereby the learned Tribunal awarded a total compensation of Rs.27,53,411/- with interest at the rate of 7.5% p.a. from the date of the petition till the date of deposit.

The learned counsel for the appellants has contended that the Tribunal has assessed the gross income of the injured at Rs.10,735/- per month, however income-tax thereon has not been deducted. She further submits that the Tribunal has erroneously granted high rate of interest i.e. 7.5%p.a. on the compensation.

So far as the contention of the learned counsel for the appellants on the aspect of gross income of the injured is concerned, if the monthly salary of the injured assessed by the Tribunal is multiplied by 12, it comes to Rs.1,28,820/- (Rs.10,735/- x 12), which is below the tax limit of Rs.2.00

lakhs, therefore, the contention of the appellants' counsel on this aspect cannot be sustained in law.

As regards the interest amount, we are of the considered opinion that the interest granted by the Tribunal at the rate of 7.5%p.a. is reasonable, therefore, on this count also we find no substance in the contention put forth by the learned counsel for the appellants.

For the foregoing reasons, we are not inclined to interfere with the impugned order under challenge.

Hence, the appeal is devoid of merit, and the same is accordingly, dismissed. No order as to costs.

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

17.04.2018

SURESH KUMAR KAIT, J

bcj

T. RAJANI, J