

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.3429 OF 2005

JUDGMENT:

This appeal is filed under Section 173 of the Motor Vehicles Act, 1988 (for short, 'the Act'), by the appellants-claimants aggrieved by the order dated 03.12.2004 in O.P.No.1394 of 2001 on the file of the Motor Accident Claims Tribunal-cum-II Additional District Judge, Warangal (for short 'the Tribunal').

2. Though the matter is posted 'for orders', there is no representation for both sides. This appeal is of the year 2005. It underwent several adjournments. Hence, this appeal can be disposed of on merits basing on the material available on record.

3. In the grounds of appeal, the appellants-claimants contended that the compensation granted by the Tribunal on various heads is meagre and ultimately, prayed to enhance the compensation.

4. The only point that arises for determination is, whether the appellants-claimants are entitled for enhancement of compensation?

5. There is no dispute with regard to the death of the deceased-Gai Raju in a motor accident that occurred on 18.04.2000 due to the rash and negligent driving of the driver of tractor and trailer bearing No.AP-36U/545. The only dispute is with regard to quantum of compensation.

6. As per the material placed on record, the deceased-Gai Raju was 28 years old. There is no proof of income. The Tribunal had taken the annual income of the deceased at Rs.24,000/-, deducted 1/3rd thereof towards his personal expenses, applied the multiplier '18'

and assessed Rs.2,88,000/- as contribution to his family. The Tribunal also assessed Rs.2,000/- towards funeral expenses, Rs.15,000/- towards loss of estate and Rs.10,000/- towards loss of consortium. In all, the Tribunal had granted Rs.3,15,000/- towards compensation, which is just and reasonable. Hence, there are no merits in the appeal and is liable to be dismissed.

7. In the result, the appeal is dismissed accordingly.

The Miscellaneous Petitions, if any, pending shall stand closed.

No costs.

Date: 04.09.2018
ssp

Dr. SHAMEEM AKTHER, J

