

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.No.1687 OF 2014

ORDER:

This appeal is preferred by the appellants/claimants questioning the order of the Motor Accident Claims Tribunal-cum-I Additional District Judge, Warangal (for short, Tribunal) in M.V.O.P.No.848 of 2002 dated 12-3-2003, to the extent of entitlement of 3rd respondent to withdraw the entire costs and interest on the amount awarded.

2. Heard.

3. As seen from the order of the Tribunal, it has awarded interest at the rate of 9% per annum on the amount awarded and also observed that the third respondent i.e., the wife of the deceased is entitled to withdraw entire costs, interest, consortium amount and funeral expenses. The Tribunal further observed that the third respondent is entitled to withdraw a sum of Rs.25,000/- for her immediate necessities and that out of the remaining awarded amount, she is entitled to withdraw another sum of Rs.2,00,000/- from the total compensation amount. The Tribunal further observed that the balance amount shall be shared equally among the appellants herein.

4. The Tribunal erred in not awarding interest to the petitioners 1 and 2, who are the father and mother of the deceased. Therefore, interest is awarded to the appellants/claimants 1 and 2 and they are entitled to share the compensation along with respondent No.3

equally. The order of the Tribunal is modified to the extent indicated above and rest of the order is remains unchanged.

5. Accordingly, the Motor Accident Civil Miscellaneous Appeal is allowed in part. Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

T.AMARNATH GOUD,J

Date:26-10-2018

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