

**THE HON'BLE SRI JUSTICE T.AMARNATH GOUD**

**M.A.C.M.A. No.1326 of 2017**

**JUDGMENT:**

This appeal is preferred by the appellant/RTC questioning the order of the Judge, Family Court-cum-VIII Additional District Judge, Mahabubnagar (for short, 'the trial Court') in M.V.O.P.No.544 of 2014 dated 27-07-2016.

2. Brief facts of the case are that on 07-10-2014, at about 7.30 pm, the deceased – Shobha along with her brother was proceeding on their motorcycle bearing No.AP 22G 7036 and when they reached in front of Anjaneya Swamy temple, TD Gutta, an RTC bus bearing No.AP11Z 4862 came from opposite direction, driven by its driver at high speed in a rash and negligent manner and dashed against them, due to which, the deceased fell down and sustained injuries and after shifting her hospital, she died. Hence, the claimants who are husband and children of the deceased filed claim petition against the respondent-RTC claiming compensation of Rs.6.00 lakhs for the death of the deceased contending that the deceased was cultivating their agricultural land and earning Rs.10,000/- per month.

3. In the claim petition, the appellant-RTC filed a counter denying the allegations and contended that the amount claimed by the claimants is highly excessive and that it is not liable to pay any compensation and therefore prayed to dismiss the claim petition.

4. After considering the oral and documentary evidence on record, the trial Court came to the conclusion that the accident occurred due to the rash and negligent driving of the driver of the bus and awarded total

compensation of Rs.5,83,000/- under various heads, with interest at the rate of 9% per annum. Aggrieved by the said order, the appellant/RTC filed the present appeal.

5. Heard.

6. The case of the claimants was that the deceased was cultivating the land and earning Rs.10,000/- per month. The trial Court while computing the loss of income, fixed the income of the deceased @ Rs.3,000/- per month, which in my considered view, is just and reasonable, and accordingly, granted an amount of Rs.4,08,000/- under this head. Further, the trial Court rightly granted Rs.50,000/- towards consortium to the husband and Rs.50,000/- towards love and affection to the children and also Rs.25,000/- towards funeral expenses of the deceased. Hence, the award granted by the trial Court does not require any interference.

7. In view of the same, this Court feels that the awarded compensation is just and proper and requires no interference by this Court and therefore, the appeal filed by the RTC is liable to be dismissed.

8. Accordingly, the Appeal is dismissed. No costs.

9. Miscellaneous petitions pending, if any, shall stand dismissed.

No order as to costs.

---

**T.AMARNATH GOUD, J**

Date: 14-08-2019  
kvr