

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

FIRST APPEAL NO.244 OF 2021

The State of Maharashtra,
Through Medical Superintendent,
Rural Hospital,
Opp. S.T.Bus, Murud,
Tq. and Dist. Latur
and anr.

..Appellants

Vs.

Arti w/o. Ashok Hajare,
Age : 26 years, Occ. Household,
r/o. Matephal, Tq. and Dist.Latur
and ors.

..Respondents

Mr.A.M.Phule, AGP for appellants
Mr.M.D.Shinde, Advocate for respondent nos.1 to 3 and 5

**CORAM : R.G. AVACHAT, J.
DATE : AUGUST 23, 2021**

ORDER :-

Heard.

2. The appeal has been filed questioning quantum of compensation awarded by the Tribunal vide it's judgment dated 30.11.2019.

3. The deceased was serving as a Driver. There is no dispute about his age. The monthly income of the deceased has been

considered by the Tribunal at Rs.8,000/- per month. The Tribunal, instead of making addition of 40% of his existing income towards future prospects, has only added 25% on this count. Since the number of dependents were four, the Tribunal has deducted 1/4th of the income of the deceased towards his personal and living expenses. The loss of dependency has, thus, been calculated at Rs.15,30,000/-. Under the head of parental consortium and filial consortium, etc., adequate amount has been awarded.

4. After going through the impugned award, I do not find any reason to interfere therewith. In the result, the appeal fails and the same is dismissed.

5. The amount of Rs.25,000/- deposited in this Court at the time of filing of the appeal, be transmitted to the Tribunal, for being paid to the claimants there, along with the interest accrued thereon.

[R.G. AVACHAT, J.]

KBP