

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

WEDNESDAY, THE TWENTY SEVENTH OF MARCH
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE SAMBASIVARAO NAIDU

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 2567 OF 2019

Between:

1. Smt Banoth Saroja W/o late Banoth Vittal
2. Banoth Sinduja D/o Banoth Vittal
3. Banoth Sandya D/o Banoth Vittal
4. Banoth Shailaja D/o Banoth Vittal
5. Banoth Maheswar S/o Banoth Vittal

(The Petitioners 2 to 5 are minors under the guardianship of their natural mother and next friend i.e., the Petitioner No.1 herein)

...Appellants/Claimants

AND

1. M/s St. Augustin Educational Society rep. by Ram Mohan Reddy, Occ: Owner of Crime Vehicle R/o 3rd floor, Lumbini Towers, Opp: NIMS Hospital, Punjagutta, Hyderabad.
2. Branch Manager, National Insurance Company Limited, Branch Office, Jawahar Road, Nizamabad (Policy Nos. 551602/31/11/610000079 valid from 11.09.2011 to 10.09.2012 policy issued by Patancheruvu Branch, Medak District)

...Respondents/Respondents

Appeal under section 173 of Motor Vehicles Act against the order and decree made in O.P.No. 15 of 2012 dated 02.08.2013 on the file of the Court of the Motor Accident Claims Tribunal –cum- IX Additional District Judge, Kamareddy.

ORDER: This appeal coming on for hearing and upon perusing the grounds of appeal, the Judgment and Decree of the Lower Court and the material papers in the case and upon hearing the arguments of Mr Akkam Eshwar, Advocate for the appellant and of Advocate for the Respondent No.2 Mr. G.Raj Kumar, Advocate and Respondent Nos. 1 none appeared.

This Court doth Order and Decree as follows:

1. That this the Motor Accident Civil Miscellaneous Appeal be and hereby is partly Allowed;
2. That the appellants are entitled to an appropriate compensation towards loss of consortium, loss of estate and funeral expenses;
3. That an amount of Rs.40,000/- towards loss of consortium, Rs.15,000/- towards loss of estate and Rs.15,000/- towards funeral expenditure shall be added;
4. That the appellants are entitled to Rs.14,14,000/-;
5. That the respondents are directed to pay the said amount with interest @ 7% per annum from the date of accident in two months from the date of this Order;
6. That the appellants are liable to pay the deficit Court fee, and if they are not able to pay, the same may be deducted from the compensation amount. /-;
7. That there shall be no order as to costs in this appeal.

Sd/- MOHD. ISMAIL
ASSISTANT REGISTRAR

//TRUE COPY//


SECTION OFFICER

To,

1. The Motor Accident Claims Tribunal –cum- IX Additional District Judge,
Kamareddy (with records if any)
2. Two CD Copies

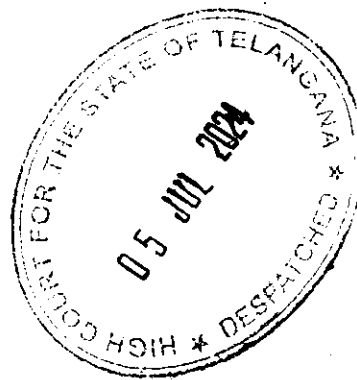


HIGH COURT

DATED:27.03.2024

JUDGMENT + DECREE

MACMA.No.2567 of 2019



PARTLY ALLOWING THE MACMA,
WITHOUT COSTS.

(4)
18/06/24
DVS