

(2002) 07 AP CK 0105
In the Andhra Pradesh High Court
Case No : A.A.O. No. 1822 of 1995

Choudapuram Chennaiah and Another	Vs	APPELLANT
B. Aki Reddy and Another		RESPONDENT

Date of Decision : 04-07-2002

Acts Referred:

Citation : (2004) ACJ 784

Hon'ble Judges : G. Bikshapathy, J

Bench : Single Bench

Advocate : B. Parameswara Rao, for the Appellant; B. Venkateswara Rao, for the Respondent

Final Decision : Allowed

Judgement

G. Bikshapathy, J.—This appeal is filed by the claimants not being satisfied with the compensation granted by the learned Motor Accidents Claims Tribunal, Mahaboobnagar in O.P. No. 694 of 1992, dated 11.8.1995.

2. The claimants are the parents of the deceased. The deceased who was aged about 15 years was studying in 10th class and was involved in an accident and died. Therefore, claimants who are the parents of the deceased laid a claim for compensation of Rs. 1,00,000. The Tribunal granted Rs. 40,000 as compensation. The claimants not being satisfied with the compensation awarded by the Tribunal have preferred the present appeal.

3. Learned counsel appearing for the appellants-claimants would submit that the amount of compensation granted by the Tribunal at Rs. 40,000 is very low and it is contrary to the judgment of the Supreme Court in Shanti Bai and Others Vs. Charan Singh and Others, , wherein the Supreme Court had granted a lump sum compensation of Rs. 1,50,000 in respect of a boy who was 18 years old. He, therefore, submits that the compensation has to be increased appropriately.

4. Having heard the learned counsel for the parties, I am of the view that the compensation is required to be enhanced. In the judgment of the Supreme Court

referred to by the learned counsel for the appellants-claimants, the Tribunal granted a sum of Rs. 40,000 which was enhanced by the Supreme Court to Rs. 1,50,000.

5. Under those circumstances, this court feels that the enhancement is necessary and accordingly the appeal is allowed and the claim of the claimants for a sum of Rs. 1,00,000 is allowed. The enhanced amount of compensation is inclusive of the amount awarded by the Tribunal.

6. The enhanced amount shall carry interest at 9 per cent from the date of petition till the date of realisation. The enhanced amount together with interest shall be deposited before the Tribunal within a period of two months from the date of receipt of a copy of this order. On such deposit, the same shall be apportioned as per the order passed by the Tribunal.

7. The appeal is accordingly allowed to the extent indicated above. No costs.