HIGH COURT OF ANDHRA PRADESH

* * * *

M.A.C.M.A. No. 2093 of 2012

Between:

1. UYYALA LAKSHMI REDDY & 2 ORS, S/o. LATE PEDDA NARAYANA REDDY, HINDU R/o.D.No.18/223, VENUGOPAL NAGAR, ANANTAPUR.
2. UYYALA LAKSHMI DEVI, W/o. UYYALA LAKSHMI REDDY, HINDU R/o.D.No.18/223, VENUGOPAL NAGAR, ANANTAPUR.
3. UYYALA NAGESWAR DEVI, S/o. UYYALA LAKSHMI REDDY, HINDU R/o.D.No.18/223, VENUGOPAL NAGAR, ANANTAPUR.

...APPELLANT(S)

AND

1. L PRATAP REDDY, S/o. BALAJOTIREDDY @ BALAJOJIREDDY, MAJOR R/o. HOSA NEELUDI POST, BELLARY TALUK AND DISTRICT, KARNATAKA STATE.
2. THE UNITED INDIA INSURANCE COMPANY LIMITED, REP BY ITS DIVISIONAL MANAGER, O/o. ANANTAPUR.

...RESPONDENT(S)

DATE OF JUDGMENT/ORDER PRONOUNCED: 01.10.2026

SUBMITTED FOR APPROVAL:

THE HON'BLE SRI JUSTICE ALAPATI GIRIDHAR

1. *Whether Reporters of Local newspapers may be allowed to see the Judgments?* — *Yes/No*

2. *Whether the copies of judgment may be marked to Law Reporters/Journals* — *Yes/No*

3. *Whether Your Lordships wish to see the fair copy of the Judgment?* — *Yes/No*

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JUSTICE ALAPATI GIRIDHAR

* **THE HON'BLE SRI JUSTICE ALAPATI GIRIDHAR**

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...RESPONDENT(S)

! Counsel for the Appellant: Sri. N CHANDRA SEKHAR REDDY

^ Counsel for the respondents: Sri T.V.P.SAI VIHARI

< Gist :

> Head Note:

? Cases Referred:

(2017) 16 SCC 680

(2020) 9 SCC 644

2024 INSC 584 : 2024 SCC OnLine SC 1901

APHC010119292012

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3605]**
(Special Original Jurisdiction)

THURSDAY, THE 01st DAY OF OCTOBER, 2026

PRESENT

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 2093/2012

Between:

1. UYYALA LAKSHMI REDDY, S/o. LATE PEDDA NARAYANA REDDY, HINDU R/o.D.No.18/223, VENUGOPAL NAGAR, ANANTAPUR.
2. UYYALA LAKSHMI DEVI, W/o. UYYALA LAKSHMI REDDY, HINDU R/o.D.No.18/223, VENUGOPAL NAGAR, ANANTAPUR.
3. UYYALA NAGESWAR DEVI, S/o. UYYALA LAKSHMI REDDY, HINDU R/o.D.No.18/223, VENUGOPAL NAGAR, ANANTAPUR.

...APPELLANT(S)

AND

1. L PRATAP REDDY, S/o. BALAJOTIREDDY @ BALAJOJIREDDY, MAJOR R/o. HOSA NEELUDI POST, BELLARY TALUK AND DISTRICT, KARNATAKA STATE.
2. THE UNITED INDIA INSURANCE COMPANY LIMITED, REP BY ITS DIVISIONAL MANAGER, O/o. ANANTAPUR.

...RESPONDENT(S)

Counsel for the Appellant(S):

1. N CHANDRA SEKHAR REDDY

Counsel for the Respondent(S):

1. .
2. T V P SAI VIHARI

THE HONOURABLE SRI JUSTICE ALAPATI GIRIDHAR

M.A.C.M.A.No.2093 of 2012

The Court made the following JUDGMENT:

1. The Appeal is filed by the Claimants assailing the Award of the Motor Accident Claims Tribunal-cum-District Judge, Anantapur, dated 23.02.2011 in M.V.O.P.No.178 of 2009, seeking enhancement of compensation.

I. CONTENTIONS:

2. The learned counsel for the Appellant submits that the deceased was working as a Security Guard and was drawing a salary of Rs.4,238/- per month. The employer of the deceased was also examined to establish the said income. However, the Tribunal awarded a total compensation of Rs.3,85,420/-. The learned counsel for the Appellant submits that future prospects may be added to the established income and that appropriate compensation may also be awarded under the conventional heads, including consortium, loss of estate and funeral expenses, in terms of the principles laid down by the **Hon'ble Supreme Court of India** ***in National Insurance Company Limited v. Pranay Sethi[1].*** Accordingly, he prayed for enhancement of the compensation.

3. The learned counsel appearing for the Insurance Company fairly submits that future prospects and the amounts under the conventional heads may be considered in accordance with the principles laid down in ***Pranay Sethi (supra).***

[1](2017) 16 SCC 680

II. BRIEF FACTS:

4. The case of the Claimants is that on 02.01.2009 at about 4 p.m. Nagamuni Reddy/Deceased and his father were going to agricultural land, near Nagaruri Buchaiah's land the 1st Respondent Tractor and Harvester/KA 34 M 6535 and KA 34 M 6536 in a rash and negligent manner came opposite direction and dashed the deceased. Nagamuni Reddy crushed under the vehicle and died on the spot. In this regard, Crime No.1/2009 registered by Yadiki Police under Section 338 and 304-A of I.P.C. That Nagamuni Reddy was 20 years old and working as Security Guard in G4S Security Services (India) Private Limited, Hi-tech City, Hyderabad and earning Rs.9,000/- per month and claimed a compensation of Rs.6,00,000/- by parents and brother.

5. The case of the Owner/1st Respondent is that he denied the manner of the accident, income, age of the deceased, the crime vehicle is insured with the 2nd Respondent, and the 2nd Respondent alone has to pay compensation, if any awarded by the Tribunal.

6. The case of the Insurance Company/2nd Respondent that they denied a relationship of the Claimants, employment and income of the deceased, also the ownership of the 1st Respondent, that if the deceased was unauthorized passenger, that the Driver of the offending vehicle has no valid driving licence and the same is not insured with the Insurance Company, that the claim is exorbitant.

7. As the case was not settled, the Tribunal framed the following issues:

1. Whether the accident occurred on 02.01.2009 due to rash and negligent driving of the driver of Tractor-Harvester/KA 34 M 6535 and KA 34 M 6536 and caused the death of the deceased?
2. Whether the Petitioners are entitled for compensation and, if so, to what amount and from which Respondent?
3. To what relief?

8. The Tribunal recorded the evidence of PWs.1 and 2 and marked Exs.A1 to A7 on behalf of the Claimants. No evidence was adduced on behalf of Respondent No.1. On behalf of Respondent No.2, one S. Sreeram Naik, Administrative Officer was examined and exhibited B1 to B3.

9. The Tribunal answered Issue No.1 in favour of the Claimants, holding that the accident occurred due to the rash and negligent driving of the driver of Tractor-Harvester/KA 34 M 6535 and KA 34 M 6536, which resulted in the death of the deceased.

10. The Tribunal answered Issue Nos.2 and 3 in favour of the Claimants and awarded compensation of Rs.3,85,420/- as against the claim of Rs.6,00,000/- with interest at 7.5% per annum and costs, payable by Respondent Nos.1 and 2 jointly and severally.

III. ANALYSIS:

11. There is no dispute before this Court with regard to the accident caused by the rash and negligent driving of the Driver of the offending vehicle, death of Nagamuni Reddy in the accident, insuring the offending vehicle with United Insurance Co. Ltd. /2nd Respondent and the subsistence of policy on

the date of accident. The only issue that falls for consideration in this Appeal is whether the Claimants are entitled for enhancement of compensation by way of future prospects and conventional heads etc.

12. The material on record reveals that the Claimants examined PW-2/Divisional Personal Manager of G4S, Hyderabad, who stated that the deceased had been working from 18.04.2007 till his death i.e., 02.01.2009 as Security Guard and earning Rs.4,238/- and filed salary certificate/Ex.A6, also filed his identity card/Ex.A5 and also deposed his possible promotions, these are all not in dispute before this Court. The Tribunal has considered the monthly income of Rs.4,238/-, which is not in dispute before this Court, but declined to take future prospects into consideration.

13. The ***Pranay Sethi*** case supra***,*** at paragraph 61(iv), held that, for the below age of 40 years, who was on a fixed salary, an addition of 40% of the income should be considered for future prospects, in this case also, he was on a fixed salary, working in the Company for about two years, and his age was 21 years. Thus, the law on future prospects at 40% to be applied in this case, as rightly contended by the learned counsel for the Claimants, which was also fairly conceded by the learned counsel for the Insurance Company. Thus, his income would be Rs.5,933/- per month (Rs.4,238/- + 40% towards future prospects), and his annual income would be Rs.71,196/- (Rs.5,933 x 12 months). The Tribunal rightly deducted 50% towards his personal living expenses. Thus, the loss of earnings would be Rs.35,598/- per annum.

14. The Tribunal has taken the age of the mother and applied multiplier '12' but as per the law in ***Pranay Sethi*** case supra, the age of the bachelor, i.e., 21 years is to be taken and for the age 21 years, the applicable multiplier is '18'. Thus, his loss of earnings to be multiplied with '18', and the compensation would be Rs.6,40,764/-. (Rs.35,598/- x 18). Whereas the Tribunal awarded a sum of Rs.3,81,420/- towards Loss of Dependency.

15. The Tribunal awarded Rs.2,000/- towards Funeral Expenses and Rs.2,000/- towards Transportation Charges.

16. As per the law in ***Pranay Sethi*** case *supra*, for the Loss of Estate, Loss of Consortium and Funeral Expenses should be Rs.15,000/-, Rs.40,000/- and Rs.15,000/- respectively. The aforesaid amounts should be enhanced at the rate of 10% for every three years.

17. The Hon'ble Supreme Court of India in ***United India Insurance Company Limited v. Satinder Kaur*@ Satwinder Kaur & Ors.**[2] held that the parents are also entitled to consortium. In the present case, the Claimant Nos.1 & 2, who are parents of the deceased are entitled to Loss of Consortium at the rate of Rs.48,000/- each as rightly contended by the learned counsel for the Claimants which is also fairly conceded by the learned counsel for the Insurance company.

18. The amount of Rs.2,000/- awarded by the Tribunal towards Transportation Charges is maintained.

[2](2020) 9 SCC 644

19. It is needless to mention that the principles laid down in ***Pranay Sethi*****,** including those relating to Future Prospects, deduction towards personal and living expenses, application of the appropriate multiplier, Loss of Consortium, Loss of Estate and Funeral Expenses, have been applied retrospectively, as held in ***Rojalini Nayak & Ors. v. Ajit Sahoo & Ors.***[3]***.***

20. This case warrants to award just compensation by following the law including the law laid down in ***Pranay Sethi case supra.***

21. The compensation awarded by the Tribunal under different heads and the compensation enhanced by this Court are as follows:

S. No	**Head of the claim**	**Compensation awarded by the Tribunal (Rs.)**	**Compensation enhanced by this Court (Rs.)**	**Remarks**
1.	Loss of Dependency and Future Prospects	3,81,420/-	6,40,764/-	Rs.4,238/- + 40% future prospects, after deducting 50% towards personal expenses and applying multiplier '18' as per ***Pranay Sethi.***
2	Loss of Consortium	Not awarded	96,000/-	Rs.48,000/- each for the two Petitioners as per ***Pranay Sethi and Satinder Kaur*** cases
3	Loss of Estate	Not awarded	18,000/-	As per ***Pranay Sethi case***
4	Funeral Expenses	2,000/-	18,000/-	As per ***Pranay Sethi case***
5	Transportation Charges	2,000/-	2,000/-	Maintained as awarded by the Tribunal
	Total	**3,85,420/-**	**7,74,764/-**	

[3] 2024 INSC 584 : 2024 SCC OnLine SC 1901

22. Thus, the Claimant(s) are entitled to a total compensation of Rs.7,74,764/-, as against Rs.3,85,420/- awarded by the Tribunal. Thus the Court Fee is to be paid for the compensation awarded over and above the claim of Rs.6,00,000/-. The compensation of Rs.7,74,764/- shall be apportioned among the Claimants as per the ratio ordered by the Tribunal except the consortium awarded to the parents. The interest of 7.5% per annum as ordered by the Tribunal is maintained.

IV. CONCLUSION:

23. In the result, the Appeal is allowed with costs of Rs. 20,000/-. The Claimants shall be entitled to a total compensation of Rs.7,74,764/-**,** as against Rs.3,85,420/- awarded by the Tribunal, with interest at 7.5% per annum from the date of filing of the Petition till the date of realization subject to payment of additional Court Fee by the Claimants over and above the claim of Rs.6,00,000/- within 30 days from the date of receipt of this Judgment. The compensation awarded by this Court shall be apportioned among the Claimants as per the ratio ordered by the Tribunal except the consortium awarded to the parents.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

JUSTICE ALAPATI GIRIDHAR

Dated :01.10.2026
LR copy to be marked
B/o.
CHD

THE HON'BLE SRI JUSTICE ALAPATI GIRIDHAR

M.A.C.M.A.No.2093 of 2012

Date: 01st October, 2026

CHD