

## **Damage from permanent disability assessment-Non patrimonial Damages-Compensation also relational aspect**

*Court of Cassation-Section Civil Judgment of 3 June 7,2011,n.12408  
Damage from permanent disability assessment equity-equal treatment-Indication of the Milanese of entire National territory*

Fairness should be understood as equal treatment, the liquidation of non-patrimonia damages to the person from injury-physical integrity requires the adoption by all judges of merit of the uniform evaluation parameters which, in default forecast regulations(such as art.139 of the code of private insurance, for minor injuries resulting from the single movement of motor vehicles and boats) must be identified in those tabulate processed at the Court Of Milan, from modularsi depending on the circumstances of the case.

*Court of Cassation-Civil Section-Judgment of November 11,2008,n.26972  
Compensation for Patrimonial and non -patrimonial(moral damages)-non-patrimonial damages-clearance-Criteria-whole compensation for damages and prohibition or duplications-Consequences-Joint Award of compensation for the loss of the parental relationship and for moral damages-Admissibility\_Exclusion.*

The loss of a loved one necessarily imply a moral suffering. Which is not a stand-alone damage, but represent an aspect-which take into account, together with all other consequences, the liquidation unit and comprehensive-non-patrimonial damage. It follows that it is unacceptable, constituting a duplication I attribution, to the next joint or deceased person in consequence of a crime, constitutional tort compensation for loss or parental relationship, moral damages(as subjective suffering, but that doesn't really constitute an aspect of the more general non-patrimonial damages).

*Flavio Stella*