

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.B.SURESH KUMAR

MONDAY, THE 9TH DAY OF FEBRUARY 2015/20TH MAGHA, 1936

MACA.No. 292 of 2015 ()

AGAINST THE AWARD IN OPMV 302/2002 of M.A.C.T.,
KOZHIKODE, DATED 11-10-2007.

APPELLANT/PETITIONER:-

SRUTHI AGED 20 YEARS
S/O.SREENIVASAN, MUTHUVATTU HOUSE, PUTHIYANGADI POST
KOZHIKODE

BY ADV. SMT.K.V.RESHMI

RESPONDENTS/RESPONDENTS:-

1. E.P.RAZAK
S/O.ABDU, ILLIKKAL PENGATTU HOUSE, POST KAVANNUR
AREAKKAD, MALAPPURAM 693639

2. NATIONAL INSURANCE CO.LTD
KOLAMBAYIL ARCADE, PANDIAKKAD ROAD, MANJERI
PIN 673121

R2 BY SRI.M.A.GEORGE

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD
ON 09-02-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Kvs/-

P.B.SURESH KUMAR, J.

M.A.C.A. No.292 of 2015

Dated this the 9th day of February, 2015.

J U D G M E N T

The claimant in an original petition for compensation before the Motor Accidents Claims Tribunal has come up in this appeal challenging the quantum of compensation granted by the Tribunal.

2. The claimant was a minor aged 8 years at the time of accident. The accident took place on 4.10.2001. A sum of Rs.20,000/- was claimed in the original petition by way of compensation for the injuries sustained by the claimant. The Tribunal, on an appraisal of the materials on record, found that the claimant is entitled to only a sum of Rs.2,000/- by way of compensation and accordingly, an award was passed for the said amount. As the vehicle involved in the accident was covered by a valid insurance policy at the time of accident, the insurer was directed to satisfy the award. The claimant is aggrieved by the said award.

3. Heard the learned counsel for the claimant and

the learned counsel for the insurer.

4. Ext.A2 is the photocopy of the wound certificate of the claimant. Even going by Ext.A2, the claimant had sustained only a laceration on the lateral aspect of the right ankle, contusion on hand, tenderness on the chest, etc. No other evidence of any injury is seen produced. The Tribunal found that the injuries noted on the wound certificate are trivial in nature. Nevertheless, the Tribunal had granted a sum of Rs.2,000/- by way of compensation to the claimant. No grounds whatsoever are made out to justify an enhancement of the compensation granted by the Tribunal.

In the circumstances, the appeal is devoid of merit and the same is accordingly dismissed.

Sd/-
P.B.SURESH KUMAR, JUDGE.

Kvs/-

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PA TO JUDGE.