

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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M.A.C.M.A.NO.1794 OF 2005

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JUDGMENT:

This appeal is preferred by the appellant-claimant against the order, dated 11-10-2004 in O.P.No.1456 of 2002 on the file of the Motor Vehicles Accident Claims Tribunal (I Additional District Judge) Warangal (for short 'the Tribunal) seeking enhancement of compensation.

2. The appellant herein is the claimant before the Tribunal. He filed the above O.P. claiming compensation of Rs.1,00,000/- for the injuries sustained by him. In the said accident, along with the appellant, two other petitioners also received injuries and they filed claim petitions viz., O.P.Nos.1225 of 2002 and 1226 of 2002 claiming compensation of Rs.1,00,000/- and Rs.50,000/- respectively.

3. The appellant himself was examined as P.W.3 and marked Exs.A9 to A11. As per his evidence, on the date of accident i.e., on 11-12-2001 the appellant along with others were travelling in a tractor and trailer with a load of cotton. Due to rash and negligent driving of the tractor by its driver, the tractor turned turtle, as a result of which, the appellant and others received injuries.

4. The Tribunal after considering both oral and documentary evidence available on record, partly allowed the O.P. awarding an amount of Rs.15,000/- towards compensation with interest at 9% p.a., from the date of petition till the date of realization on the basis of grievous injuries to right femur, cut injury to lips and teeth. The award of the Tribunal, in the absence of any appeal by the Insurance Company, is liable to be confirmed.

5. Accordingly, the appeal is dismissed confirming the award, dated 11-10-2004 in O.P.No.1456 of 2002 passed by the Tribunal. No order as to costs. Miscellaneous petitions, if any pending in this appeal shall stand closed.

A.RAMALINGESWARA RAO, J

DATED: 25-11-2015

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