

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

MACMANos.1775 of 2005 and 1784 of 2005

Date: 19-11-2015

Between:

The Regional Manager, United India Insurance Company
Ltd., Hyderabad

.... Appellant

AND

Molgar Chinna and another

.... Respondents

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

MACMANo.1775 of 2005 and 1784 of 2005

COMMON JUDGMENT:

These two appeals are preferred by the Insurance Company against the award in O.P.Nos.299 and 300 of 2002 on the file of Motor Accident Claims Tribunal-cum-II Additional District Judge, Medak at Sangareddy.

The O.P.s were filed by the 1st respondent herein in both the appeals in O.P.No.299 of 2002 and O.P.No.300 of 2002 claiming compensation of Rs.1,00,000/- each for the injuries sustained by them in a motor accident that occurred on 15-08-2001 at about 7.30 P.M. when they were travelling in an auto bearing No.AP-23-T-4901 from Zaheerabad to their village, Beedekhana village. The Tribunal held, on evidence, that the accident occurred due to rash and negligent driving of the driver of auto and awarded an amount of Rs.80,000/- and Rs.1,00,000/- respectively to the 1st respondent herein with proportionate

interest and costs at 9% p.a. from the date of petition till the date of realization against the respondents 1 and 2 jointly and severally. The injury sustained by the claimants in O.P.No.299 of 2002 and O.P.No.300 of 2002 in the said accident was one fracture injury. In O.P.No.299 of 2002, the Tribunal awarded an amount of Rs.35,000/- towards non-pecuniary damages and Rs.15,000/- towards pecuniary damages, apart from Rs.15,000/- towards one fracture injury, Rs.10,000/- towards medical expenses and Rs.5,000/- towards mental agony. In total, the Tribunal awarded an amount of Rs.80,000/- towards compensation. In O.P.No.300 of 2002, the Tribunal awarded an amount of Rs.45,000/- towards non-pecuniary damages and Rs.25,000/- towards pecuniary damages, apart from Rs.15,000/- towards one fracture injury, Rs.10,000/- towards medical expenses and Rs.5,000/- towards mental agony. In total, the Tribunal awarded an amount of Rs.1,00,000/- to the claimant.

The only point that is urged by the learned counsel for the appellant in both the appeals is that the award of interest at 9% p.a. on the compensation amount is erroneous. But in a recent decision, the Supreme Court awarded interest at 9% p.a. Therefore, the award of interest 9% p.a. by the Tribunal cannot be found fault with. In view of the same, I do not see any ground to entertain the present appeals and the same are liable to be dismissed.

Accordingly, the appeals are dismissed. No costs.

A. RAMALINGESWARA RAO, J

Date: 19-11-2015