

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

M.A.C.M.A.No. 1758 OF 2005

JUDGMENT:

This appeal is preferred by the claimant in M.V.O.P.No.751 of 2003 on the file of the Principal Motor Accident Claims Tribunal-cum-Principal District Judge, Warangal, seeking enhancement of compensation. The petition was filed by the injured claiming a compensation of Rs.1,00,000/- for the injuries sustained by him in a motor accident that occurred on 16.05.2003. According to the petitioner, when he was returning in an auto bearing No.AP 36V 2547, and when the auto reached Chennaraopet, due to rash and negligent driving of the driver of the auto, the auto turned turtle causing injuries to the petitioner. He was working in agriculture market committee, Kesamudram, and was earning salary. He was in hospital from 16.05.2003 to 04.06.2003 and operated upon on 26.05.2003. He sustained fracture of shaft 1/3rd femur left and other simple injuries and was treated in M.G.M. Hospital. The Tribunal awarded an amount of Rs.20,000/- towards pain and suffering and a sum of Rs.5,000/- as compensation for medical expenses and attendance. Thus, an amount of Rs.25,000/- was awarded.

2. Admittedly, when the petitioner was an employee of agriculture market committee, he must have lost earnings for nearly 15 days. But nothing was awarded by the Tribunal for the loss of earnings during that period. The medical bills under Ex.A.9 showed an amount of Rs.1,186/-. Ex.A.12 shows that the petitioner was earning Rs.4,278/- p.m., and in that view of the matter, he must have lost earnings for a period of 15 days. Taking into consideration the amount awarded towards medical expenses and attendant charges, an amount of Rs.5,000/- more is awarded towards medical

expenses and attendant charges and an amount of Rs.2,500/- towards loss of wages. Thus, an amount of Rs.7,500/- is enhanced to the award of Rs.25,000/- already awarded by the Tribunal. The enhanced amount shall carry interest at 9% p.a. from the date of petition till the date of realization.

3. The M.A.C.M.A. is accordingly partly allowed. Consequently, miscellaneous petitions, if any, pending in the appeal shall stand dismissed. There shall be no order as to costs.

(A.RAMALINGESWARA RAO, J)

18th November, 2015
cbs

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-
-

M.A.C.M.A.No.1758 of 2005

18th November, 2015

cbs