

HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

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M.A.C.M.A. No.146 of 2005

JUDGMENT:

Though first respondent was served and in spite of service of notice on the first respondent, none appeared for him.

Heard the learned counsel for the appellant.

This appeal is filed by the claimant against the award of compensation granted by the Motor Accidents Claims Tribunal-cum-Principal District Judge, Nalgonda (for short, 'the Tribunal') in O.P. No.1232/2001.

The accident occurred on 15.09.2001 when the petitioner was going on his Scooter near Annapureddygudem, the Tractor bearing registration No.AP 24E 3970 and Trailor bearing registration No.AP 24E 3971 came in a rash and negligent manner and dashed against the petitioner, as a result of such accident the petitioner received multiple injuries. The petitioner was treated in a private hospital and claimed an amount of Rs.1.00 lakh for the injuries sustained by him. The petitioner examined himself as PW1 and examined the Doctor as PW2. He filed exhibits A1 to A5 on his behalf.

The Tribunal held that the accident occurred due to rash and negligence of the driver of Tractor. Ex.A3-Medical Certificate shows that the petitioner sustained seven injuries, out of which five are simple in nature. The injuries six and seven are grievous injuries caused by blunt object. Taking those injuries into consideration, the Tribunal awarded an amount of Rs.20,000/- towards pain and suffering and an amount of Rs.5,000/- for medical expenses based on the medical bill under Ex.A5. Accordingly, the Tribunal awarded an amount of Rs.25,000/- along with interest @ 9% per annum from the date of petition i.e., 23.10.2001 till the date of deposit.

In view of the nature of injuries and the evidence adduced, I am of the opinion that the order passed by the Tribunal is perfectly correct and there is no need for enhancement of compensation.

Accordingly, the Appeal is dismissed confirming the award passed by the Tribunal.

Miscellaneous petitions pending, if any, in this appeal shall stand closed.

A.RAMALINGESWARA RAO, J

03.11.2015

MVA

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Date: 03.11.2015

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