

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

MACMANo.1791 of 2005

Date: 19-11-2015

Between:

Muddam Sudhakar

.... Appellant

AND

E. Venkataiah and another

.... Respondents

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

MACMANo.1791 of 2005

ORDER:

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This appeal is filed by the injured seeking enhancement of compensation awarded in O.P.No.185 of 2002 dated 27-07-2004 on the file of Motor Accident Claims Tribunal-cum-IV Additional District Judge-cum-Fast Track Court, Nalgonda. He claimed an amount of Rs.1,00,000/- for the three injuries sustained by him in the accident and the Tribunal awarded an amount of Rs.26,500/-. The Tribunal held that the accident occurred due to rash and negligent driving of the driver of the auto rickshaw bearing No.AP-24-T-8894. However, with regard to the injuries and the quantum of compensation, the Tribunal held as follows:

“.....As Per Ex.A.2, the petitioner has sustained three simple injuries which are deep lacerated wound occipital over scalp, lacerated wound lacerated wound to the above wound and lacerated wound right parietal area of scalp and two grievous injuries which are swelling deformity of left leg and fracture of collar bone. In respect of his treatment, he got marked Ex.A.5 medical bills without prescriptions and Ex.A.6 X-ray films. Except that he did not file any medical record and also not filed any disability certificate. Therefore, taking into consideration of the above facts a sum of Rs.17,000/- (Rupees seventeen thousand only) is awarded as compensation for two grievous injuries and for pain and sufferance

and a sum of Rs.2,500/- (Rupees two thousand and five hundred only) is awarded as compensation for three simple injuries and for pain and sufferance and a sum of Rs.4,000/- (Rupees four thousand only) is awarded as compensation. For medical expenses, attendance, transportation and extra nourishment and a sum of Rs.3,000/- (Rupees three thousand only) is awarded as compensation for loss of expectation of life, loss of pleasure and amenities and loss of earnings. In total the petitioner is awarded a sum of Rs.26,500/- (Rupees twenty six thousand five hundred only) as compensation.....”

The award of the Tribunal in view of three simple injuries is just and proper in the facts and circumstances of the case and I do not see any ground to enhance the said amount.

Accordingly, the appeal is dismissed. No costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 19-11-2015

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