

HON' BLE Dr. JUSTICE B. SIVA SANKARA RAO

MACMA No. 4796 of 2008

JUDGMENT :

The injured/ claimant maintained O.P. No.632 of 2002 under Section 166 of the Motor Vehicles Act claiming compensation of Rs.1,00,000/- for the injuries sustained in the motor accident dated 17.10.2000, from the alleged rash and negligent driving of the 1st respondent-driver of the bus bearing No.AP 9Z 9411 belongs to the 2nd respondent- A.P.S.R.T.C. The Tribunal having held that the accident was due to rash and negligent driving of the driver of the R.T.C bus and awarded compensation of Rs.37,000/- with interest at 7.5%p.a vide award dated 27.05.2006, aggrieved thereby the appellant/injured filed the present appeal questioning that the quantum of compensation awarded by the Tribunal is utterly low and it is one of the contentions that the Tribunal ought to have granted compensation as prayed for since medical bills for a sum of Rs.40,000/- were filed and the Tribunal went wrong in awarding paltry amount of Rs.37,000/- and prayed to allow the appeal.

2) Whereas, learned standing counsel for the 2nd respondent, Sri S.V.Ramana contended that award of the Tribunal holds good and for this Court while sitting in the

appeal there is nothing to interfere and prayed to dismiss the appeal.

3) The injuries sustained are a fracture and three simple injuries, of which one is even a lacerated injury and other two are abrasions. Taking into consideration of the injuries sustained, period of treatment undergone by the injured, attendant charges, extra nourishment and medical expenses, it is just to enhance the compensation from Rs.37,000/- to Rs.45,000/-.

4) In the result, the appeal is partly allowed by enhancing the compensation from Rs.37,000/- to Rs.45,000/-. Rest of the terms of the award of the Tribunal holds good. There shall be no order as to costs. Pending miscellaneous petitions, if any, in both the appeals shall stand cancelled.

14.09.2016
ksh

Dr. B. SIVA SANKARA RAO, J