

HON'BLE DR. JUSTICE B. SIVA SANKARA RAO

M.A.C.M.A.No.4254 of 2008

JUDGMENT:

The 2nd respondent insurer among the 3 respondents including the owners of the van bearing No.AP-25-T-4818, aggrieved by the award of the Tribunal awarding compensation of Rs.1,05,000/- against the claim of Rs.2,00,000/- maintained by the injured claimant in O.P.No.660 of 1999 dated 15.06.2006, maintained the appeal with the contentions mainly on the quantum as excessive so also the rate of interest.

The appeal 1st respondent is the claimant. The appeal 2nd and 3rd respondents are the so called owners whose notice returned unclaimed, a sufficient service.

Heard and perused the material on record.

The claimant sustained severe grievous injuries as per Exs.A1 and A3 medical certificates with Ex.A12 disability certificate and A.11 X-ray and PWs.2 and 3 Doctors also depose in relation to partial disability and Tribunal having consideration of the same, awarded compensation, thereby for this Court while sitting in the appeal, there is nothing to interfere with the quantum and the appeal is liable to be dismissed, but for to reduce 9% to 7.5% vide **Rajesh Vs. Rajbir Singh¹**.

Accordingly and in the result, the appeal is partly allowed by reducing the rate of interest from 9% to 7.5% per annum. In other aspects the award of the Tribunal holds good.

¹ 2013 ACJ 1403

Consequently, miscellaneous petitions, if any shall stand closed. No costs.

Date: 30.08.2016
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JUSTICE Dr. B.SIVA SANKARA RAO

