

HON' BLE Dr. JUSTICE B. SIVA SANKARA RAO

MACMA No. 4770 of 2008

JUDGMENT :

The injured-claimant impugning the award of the Tribunal dated 22.08.2008 in O.P. No.329 of 2006 made the claim against the driver, owner and insurer of the goods van bearing No.AP 5 X 1319 for the alleged injuries sustained in the motor accident dated 21.01.2006 viz., under Ex.A-3 wound certificate, abrasion of 3x4 cm over the occipital region with laceration of 4 x 3 cm over the occipital region, oblique in direction, swelling on the right shoulder, swelling on the right wrist and C.T scan shown linear undisplaced fracture on the right posterior inferior, occipital bone with adjacent small sub galial hematoma and the evidence of P.W-2 is that the said injuries of occipital region described injury No.1 is grievous and there was a surgery conducted and he further deposed that there was a surgery conducted for the abdomen. In fact, a perusal of the above injuries, no way shows any abdominal injury with reference to Ex.A-3 wound certificate and evidence of P.W-1 and of the bills and claimed are for consultation of P.W-2 of the Apollo Hospital of Gastro enterology branch. In fact, it no way correlates to the injuries with the nature of treatment undergone for the limbs

other than to the injuries. Thereby what the Tribunal awarded itself is excessive and no way requires interference to enhance even a single pie.

2. Accordingly, this appeal is dismissed. As a sequel, miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Dr. B. SIVA SANKARA RAO, J

19.09.2016
ksh

