

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

MACMA No.3110 OF 2005

JUDGMENT:

The injured-claimant in O.P.No.171 of 1999 on the file of the Chairman, Motor Accidents Claims Tribunal–cum-II Addl. District Judge,(for short, 'the Tribunal'), Mahaboobnagar, maintained under Section 166 of the Motor Vehicle Act,1988 (*for short, 'the Act'*), against owner and Insurer of the crime vehicle (lorry) bearing No.AP-02-T-5899) for the injuries sustained by her in the accident, aggrieved by the award dated 23.07.2005 passed by the tribunal granting Rs.21,000/- with interest at 7.5% p.a. by fixing joint and several liability against both the respondents, preferred this appeal with the contentions that the tribunal ought to have granted compensation as prayed for since the claimant suffered from magnitude of injuries which led to bed rest of several months and restriction of her movements which further led to loss of future earnings.

2. Heard both sides and perused the material on record.

3. As the fracture sustained is to the right pubic bone. Taking into consideration of the same, the tribunal awarded of Rs.21,000/- viz; Rs.15,000/- for the fracture, Rs.4,000/- for two simple injuries and Rs.2,000/- for the medical expenditure but it is just to award Rs.30,000/- even considering treatment, extra nourishment, attendant and transport charges including loss of earnings. Hence, the compensation awarded by the tribunal is enhanced from Rs.21,000/- to Rs.30,000/- without much interfering with the award of the tribunal.

4. In the result, the appeal is partly allowed by enhancing the compensation from Rs.21,000/- to Rs.30,000/- with interest at 7.5% p.a. The respondents are directed to deposit the enhanced amount within one month from today. On deposit by the respondents or execution and recovery from the respondents, the claimant is permitted to withdraw the same. Rest of the award holds good. There is no order

as to costs in the appeal. Consequently, miscellaneous petitions, if any pending in this appeal, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date: 23.03.2016
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