

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
HON'BLE SRI JUSTICE G.SHYAM PRASAD

MACMA.No.2272 of 2016

Date:08.8.2016

Between:

Kandula Sadanandam,
S/o Rajam

..... Appellant

And:

Komatireddy Padmakar Reddy,
S/o Venkat Reddy and another.
Coromandel International Ltd.,

....Respondents

Counsel for the appellant: Mr. Rama Chander Rao
Vemuganti

Counsel for the respondents: None appeared

The Court made the following:

JUDGMENT: *(per Hon'ble Sri Justice C.V.Nagarjuna Reddy)*

Feeling dissatisfied with the quantum of compensation awarded by the Chairman, Motor Accidents Claims Tribunal-cum-V Additional District Judge, Karimnagar (for short 'the Tribunal') by award, dated 20.4.2016, in MVOP.No.369 of 2011, the claimant in the said O.P. filed this appeal.

We have heard Mr. Rama Chander Rao Vemuganti, learned counsel for the appellant.

The appellant met with an accident, involving the vehicle driven by respondent No.1 and insured with respondent No.2, and suffered injuries. He has claimed a sum of Rs.45 lakhs as compensation under various

heads. The Tribunal has awarded a sum of Rs.44,65,600/- along with interest at the rate of 7.5 % per annum from the date of the petition till the date of realisation.

The only ground raised by the appellant, who is a painter, in this appeal is that the Tribunal ought to have awarded compensation while taking his disability at 100% instead of at 89%.

In our opinion, this appeal is wholly misconceived as the appellant was awarded compensation almost to the extent of the claim made by him and what was disallowed by the Tribunal is a miniscule of the claim compared to the quantum of compensation claimed by the appellant and awarded by the Tribunal.

The law is well settled that the heads of compensation could be interchanged and even if the appellant's plea is accepted, he may be entitled to the maximum compensation of Rs.45 lakhs, as claimed by him, as against which, a sum of Rs.44,65,600/- was awarded by the Tribunal.

In the above facts and circumstances of the case, we do not find any merit in this appeal and the same is, accordingly, dismissed. This order, however, shall not be understood as this Court expressing any conclusive opinion on the legality or otherwise of the impugned award of the Tribunal if the same is put in question by the respondents by way of an appeal.

*JUSTICE C.V.NAGARJUNA
REDDY*

JUSTICE G.SHYAM PRASAD

*08th August 2016
DR*