

HONOURABLE Dr. JUSTICE B. SIVA SANKARA RAO

M.A.C.M.A.No.263 of 2010

JUDGMENT:

The injured claimant, who maintained O.P.No.799 of 2005 under Section 166 of the Motor Vehicles Act, for a compensation of Rs.2,00,000/- against the APSRTC, for the injuries sustained by him in the motor accident dated 21.09.2005 involving the bus of the APSRTC bearing No.AP 10Z 1690, from the contest as the tribunal awarded Rs.46,000/- with interest at 7.5% p.a. on 02.11.2009, impugning the said quantum as utter low, maintained the appeal.

2. Heard the learned counsel for the appellant. The APSRTC even served failed to attend and taken as heard to decide on merits. Perused the material on record.

3. The tribunal having held that the accident was the result of the rash and negligent driving of the driver of the bus of the APSRTC, from which the claimant is entitled to compensation, having rightly considered the medical expenses incurred showing from the bill of Yashoda Hospital for Rs.32,077/- in awarding Rs.34,000/- towards medical expenses and treatment, awarded only Rs.10,000/- for the compound fracture of left lower limb 1/3rd tibia and fibula in respect of awarding compensation and for that it is just to enhance from Rs.10,000/- to Rs.20,000/-, towards loss of earning even to award Rs.7,000/- for two months, transport charges since awarded by the tribunal of Rs.2,000/- no way requires interference but for attendant charges of Rs.3,000/-, thereby comes to Rs.66,000/-.

4. Accordingly, the appeal is partly allowed by enhancing the compensation from Rs.46,000/- to Rs.66,000/-. In other respects the award of the tribunal holds good. No order as to costs.

5. Consequently, miscellaneous petitions pending, if any, shall stand dismissed.

Dr. B. SIVA SANKARA RAO, J

Date:24.10.2016

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