

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

M.A.C.M.A. No.662 OF 2016

JUDGMENT:

The 2nd respondent—insurer filed this appeal having been aggrieved by the order passed on 30.09.2010 in O.P. No.1430 of 2007 on the file of Motor Accidents Claims Tribunal-cum-III Additional District Judge (FTC), Nalgonda, (for short, 'Tribunal') awarding compensation of Rs.60,000/- with interest at 7.5% per annum against Rs.1,00,000/- for the injuries sustained in the motor accident dated 16.12.2005.

2) Heard learned counsel for appellant and also learned counsel for respondent No.1/ claimant. Respondent No.2 herein is the respondent No.1 to the claim petition remained exparte before the Tribunal even impleaded in the appeal dismissed for default, which is no way fatal to the maintainability of the appeal vide ***Meka Charkadhara Rao vs Yelubandi Babu Rao***^[1] and the same is recorded.

3) The contention of the learned counsel for the appellant-insurer is that the quantum of compensation awarded by the Tribunal is excessive and exorbitant and hence to reduce the same.

4) A perusal of the record would show that the claimant sustained fracture injury to the both bones of left leg, dislocation of right patella, which are grievous in nature and one abrasion and it shows medical expenses incurred by undergoing treatment in the Government Hospital, Devarakonda and later in private hospital.

5) Having regard to the above, for this Court while sitting in appeal there is nothing to interfere with the quantum awarded by the

Tribunal.

6) Accordingly and in the result, the appeal is dismissed. No costs.

7) Consequently, Miscellaneous petitions, if any pending in this appeal, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Dt.05.02.2016
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HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

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