

SMT JUSTICE T. RAJANI

MACMA No.3627 of 2008

JUDGMENT:

This appeal is preferred by the appellant, who is respondent No.2 – insurer in the lower Court, assailing the judgment of the Motor Accident Claims Tribunal-cum-District Judge, Kadapa in MVOP.No.632 of 2003 dated 17.05.2006, on the grounds that the compensation awarded by the lower Court is exorbitant and that the lower Court, in spite of there being no evidence of the doctors, awarded the said amount.

2. Heard both the counsel.

3. A perusal of the impugned judgment shows that for amputation of right leg upto thigh, the lower Court took 70% as the disability and the income taken by the lower Court is Rs.1,500/- per month. Hence, seen from any angle, the compensation awarded to the claimant, cannot be termed as exorbitant. The income of a housewife is also being taken as Rs.3,000/- per month in the least. The claimant is stated to be a coolie and the amputation upto thigh, would not only hamper the daily activities of the claimant, but also her avocation and income to more than an extent of 70%.

4. Hence, the judgment of the lower Court, which went on proper lines, does not require any interference and the appeal is dismissed. As a sequel, the miscellaneous applications, if any, shall stand closed. There shall be no order as to costs.

SMT T. RAJANI, J

Date: 15.09.2017
TJMR

