

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

C.M.A. No.1618 of 1999

JUDGMENT:

This appeal is filed by the appellant/claimant questioning the order passed in O.P.No.368 of 1990, dated 03-02-1993 of the Motor Accident Claims Tribunal-cum- I Additional District Judge, Karimnagar (for short, 'the Tribunal').

2. Brief facts of the case are that on 03-06-1990 at about 11 a.m. while the claimant proceeding on motorcycle bearing No.APR 1615 from Karimnagar towards Choppadandi and when he reached near Vallampad bus stand, a lorry bearing No.AAP 9377 was coming on his behind in a rash and negligent manner without blowing the horn and dashed his motorcycle, due to which, he fell down and sustained multiple fractures and injuries to all over the body. Hence, he filed claim petition claiming compensation of Rs.50,000/- towards the injuries sustained by him.

3. In the claim petition, the respondent Nos.1 and 3, who are the owner and insurer of the crime vehicle, filed their counters denying the allegations made by the claimant and contended that the amount claimed by the claimant is highly excessive and that they are not liable to pay any compensation and therefore prayed to dismiss the claim petition.

4. After considering the oral and documentary evidence on record, the Tribunal held that the accident occurred due to rash and negligent manner of driving of the driver of the crime vehicle and accordingly granted compensation of Rs.22,750/- to the claimant payable by the respondents

jointly and severally with interest @ 12% per annum. Aggrieved by the same, the claimant filed this appeal.

5. Heard.

6. As seen from the case on hand, the claimant has not made out his case for considering enhancement of compensation since there is no evidence on record either oral or documentary in support of his claim. Hence, this Court is of the opinion that the order passed by the Tribunal is well considered and needs no interference.

7. Accordingly, the Appeal is dismissed. No costs.

8. Miscellaneous petitions pending, if any, shall stand closed.

Date: 23-10-2019
kvr

T.AMARNATH GOUD, J

