

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.2895 OF 2005

JUDGMENT:

This appeal is filed under Section 173 of the Motor Vehicles Act, 1988 (for short, 'the Act'), by the appellant-claimant aggrieved by the order dated 08.07.2005 in O.P.No.803 of 2004 on the file of the Motor Accident Claims Tribunal-cum-I Additional District Judge, Karimnagar (for short 'the Tribunal').

2. Heard the learned counsel for the respondent-APSRTC (Now 'TSRTC') and perused the record.

3. Though the matter is posted 'for orders', there is no representation for the appellant-claimant. This appeal pertains to the year 2005. Hence, it can be disposed of on merits basing on the material available on record.

4. As seen from the grounds of appeal, this appeal is filed contending that the finding of the Tribunal is contrary to the facts and law. Though the appellant suffered grievous and simple injuries, the Tribunal granted compensation of Rs.2,000/-, which is meagre and ultimately, prayed to enhance the same.

5. Learned counsel for the respondent-RTC would contend that the Tribunal had granted just and reasonable compensation for one simple injury. There are no circumstances to enhance the same and ultimately, prayed to dismiss the appeal.

6. Under these circumstances, the point that arises for determination is, whether the appellant-claimant is entitled for enhancement of compensation?

7. There is no dispute with regard to the appellant suffering injuries in a road accident that occurred on 01.03.2004 due to the rash and negligent driving of the driver of RTC bus bearing No.AP-10Z-2616. The only dispute is with regard to the quantum of compensation.

8. Ex.A2 is the attested copy of the wound certificate of the appellant, which shows that she suffered one blunt injury on the left arm. It is a simple injury. Considering the same, the Tribunal had granted Rs.2,000/-, which is just and reasonable. There are no circumstances to enhance the same. The appeal is devoid of merit and it is liable to be dismissed.

9. In the result, the appeal is dismissed accordingly.

The Miscellaneous Petitions, if any, pending shall stand closed.

No costs.

Date: 10.09.2018
ssp

Dr. SHAMEEM AKTHER, J