

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.2890 OF 2005

JUDGMENT:

This appeal is filed by the appellant-Insurance Company under Section 173 of the M.V. Act, aggrieved by the award, dated 08.06.2005, in M.A.T.O.P.No.375 of 2001, passed by the Motor Accident Claims Tribunal-cum-II Addl. District Judge (FTC), Khammam, wherein compensation of Rs.71,000/- was granted by the Tribunal to the respondent-claimant.

2. Heard the learned standing counsel for the appellant-Insurance Company. There is no representation for the respondent-claimant.

3. Learned standing counsel for the appellant-Insurance Company would submit that the claimant suffered simple injuries. The Tribunal granted excess compensation on all heads and ultimately, prayed to reduce the same.

4. As per the evidence placed on record, the claimant received the following injuries:

1. Contusion over the neck. Simple in nature.
2. Contusion over the left shoulder. Simple in nature.

The claimant also incurred medical expenditure. Taking all the factors into consideration and nature of injuries, the Tribunal granted compensation of Rs.71,000/- with interest at 9% p.a. from the date of petition till the date of deposit. The injuries are on vital organs of the body of the claimant. The Tribunal had rightly granted compensation. As there was violation of insurance policy

conditions, the appellant-Insurance Company was directed to pay the compensation amount and recover the same from the owner of the vehicle. There is nothing to take a different view. The appeal is devoid of merit and is liable to be dismissed.

5. Accordingly, the Appeal is dismissed confirming the award, dated 08.06.2005, in M.A.T.O.P.No.375 of 2001, passed by the Motor Accident Claims Tribunal-cum-II Addl. District Judge (FTC), Khammam. No order as to costs. Miscellaneous petitions, if any pending in this appeal shall stand closed.

DATED: 19-06-2018
Hsd

DR.SHAMEEM AKTHER, J

