

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.2206 OF 2005

JUDGMENT:

This appeal is filed by the appellant-claimant under Section 173 of the M.V. Act, aggrieved by the award, dated 07.04.2005, in O.P.No.1124 of 2002, passed by the Motor Accident Claims Tribunal-cum-II Addl. District Judge, Warangal, for enhancement of compensation.

2. Heard the learned counsel for the appellant, the learned counsel for the 1st respondent and perused the record.

3. Learned counsel for the appellant would submit that the Tribunal had granted meagre compensation. The appellant suffered three grievous injuries and other simple injuries and ultimately, prayed to enhance the compensation to Rs.3,00,000/- as claimed.

4. On the other hand, learned counsel for the 1st respondent-owner of the crime vehicle would submit that the Tribunal had awarded just and reasonable compensation. There is nothing to vary the same and ultimately, prayed to dismiss the appeal.

5. Respondents 2 and 3 are officers of Insurance Company of the subject vehicle. The appeal against respondents 2 and 3 was dismissed for default, vide order, dated 05.01.2012. It appears, no steps are taken by the appellant for getting the dismissal order set aside.

6. While dealing with the subject matter of the appeal, the Tribunal had granted the compensation in favour of the appellant, as detailed hereunder:

1.Transportation charges	Rs.2,000/-
2.Loss of earnings	Rs.10,000/-
3.Purchase of medicines	Rs.4,038/-
4.Extra nourishment and Incidental charges	Rs.1,500/-
5.Pain and suffering	Rs.15,000/-
6.Partial disability	Rs.30,000/-

Total	Rs.62,538/-

7. As seen from the evidence on record, the Tribunal had granted just and reasonable compensation. There is nothing to take a different view. Therefore, the appeal is devoid of merit and is liable to be dismissed.

8. Accordingly, this Appeal is dismissed confirming the award, dated 07.04.2005, in O.P.No.1124 of 2002, passed by the Motor Accident Claims Tribunal-cum-II Addl. District Judge, Warangal. No order as to costs. Miscellaneous petitions, if any pending in this appeal shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 07-06-2018

Hsd