

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1392 OF 2014

JUDGMENT:

This appeal is filed by the appellant-claimant aggrieved by the award dated 23.02.2011 passed in O.P.No.37 of 2010 by the Motor Accident Claims Tribunal-cum-II Additional District Judge, Madanapalle, Chittoor District (for short, the Tribunal).

2. The brief facts of the case are that the appellant is the owner-cum-driver of the four wheeler auto bearing No.AP03X 1352 and that on 2.10.2008 while he was transporting wooden poles to Mallireddigaripally and when the auto reached near Gundluru cross road on Vayalpadu-Gurramkonda at about 1.00 PM., the driver of the lorry bearing No.AP04V 9575, which was proceeding from Madanapalle towards Marripadu, drove the said vehicle in a rash and negligent manner and dashed against the auto from rear side, due to which, the inmates of the auto received multiple injuries and the appellant received grievous injuries to his face and neck and all over the body. Immediately after the accident, the appellant was shifted to Area Hospital, Vayalpadu and from there to Area Hospital, Madanapalle for expert treatment and, he was referred to SVIMS Hospital, Tirupati. The appellant filed a petition claiming compensation of Rs.2,00,000/- for the injuries sustained by him.

3. The first respondent in the claim petition remained ex parte. The second respondent filed a written statement denying the averments of the claim petition and contended that the appellant is not entitled to claim any compensation and that the amount claimed is excessive and prayed to dismiss the claim petition.

5. After considering the evidence produced by the parties, the Tribunal came to the conclusion that the accident occurred due to the rash and negligent driving of the lorry by its driver and thereby granted compensation of Rs.25,000/- with interest at the rate of 9% per annum from the date of filing of the petition, till the date of realisation. Aggrieved by the said order, the present appeal is filed by the claimant.

6. Heard.

7. The order reveals that the Tribunal passed a well considered order and it needs no interference, hence the same is liable to be dismissed.

8. In the result, the Motor Accident Civil Miscellaneous Appeal is dismissed. Miscellaneous petitions pending, if any, shall stand closed.

Date: 28.11.2018
Shr

T.AMARNATH GOUD, J

