

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. NO.136 OF 2014

ORDER:

This appeal is preferred by the appellant/claimant questioning the judgment of the Motor Accident Claims Tribunal-cum- III Additional District Judge, Kakinada (for short, Tribunal) in M.V.O.P.No.746 of 2007 dated 16-09-2009, on the ground that the Tribunal granted meager amount towards compensation.

2. The brief facts of the case are that on 3.08.2006 when the appellant was traveling in an RTC., bus bearing No.AP 11Z 5827 along with his family members from Kakinada to Rajahmundry and on the way when the bus reached near SKRT godowns near Rajanagaram village, the first respondent who is the driver of the lorry bearing No.AP 35T 1577 drove the vehicle in a rash and negligent manner and dashed the RTC., bus on its right side, as a result of which, the appellant and others sustained injuries. Immediately after the accident, the appellant was shifted to Government General Hospital, Kakinada. A case in Crime No.169 of 2006 for the offence under Sections 337 and 337 IPC., was registered by Rajanagaram Police. The petitioner claimed compensation of Rs.2,00,000/- from the respondents.

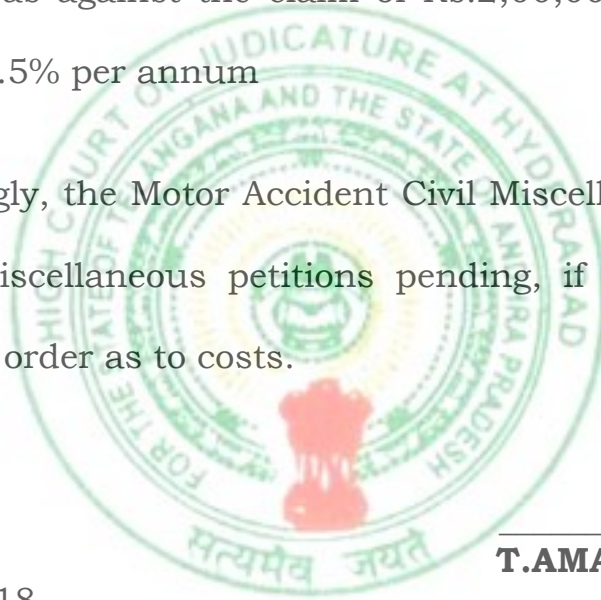
3. The third respondent filed a counter contending that the first respondent was having transport driving licence upto 29.06.2006 only and whereas the accident occurred on 3.08.2006 and as such, the third respondent is not liable to pay the compensation.

4. On consideration of the oral and documentary evidence, the Tribunal awarded compensation of Rs.1,12,000/-, against the respondents 1 and 2 with interest at the rate of 7.5% per annum from the date of petition, till the date of deposit. Aggrieved by the said order, the present appeal is filed.

5. Heard Smt.J.K.Anitha, appearing on behalf of Mr.B.Devanand, learned counsel for the third respondent.

6. It is a case of injuries caused due to the accident and the Tribunal has well considered the case of the petitioner and awarded Rs.1,12,000/- as against the claim of Rs.2,00,000/- with interest at the rate of 7.5% per annum

7. Accordingly, the Motor Accident Civil Miscellaneous Appeal is dismissed. Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.



Date:15-11-2018
Shr

T.AMARNATH GOUD,J