

THE HON'BLE DR. JUSTICE SHAMEEM AKTHER

C.M.A.No.3760 OF 2004

JUDGMENT:

This appeal is filed by the appellant-claimant under Section 173 of the M.V. Act, aggrieved by the award, dated 15.06.2004, in O.P.No.68 of 2002, passed by the Motor Accident Claims Tribunal-cum-IV Addl. Chief Judge, City Civil Court, Hyderabad, for enhancement of compensation.

2. Heard the learned counsel for the appellant-claimant, the learned standing counsel for the Insurance Company and perused the record.

3. Learned counsel for the appellant-claimant would contend that the appellant suffered grievous injuries and the Tribunal granted compensation of Rs.8,500/- as against the claim of Rs.1,00,000/-, which is meagre and ultimately, prayed to enhance the same.

4. On the other hand, learned standing counsel for the Insurance Company would contend that the Tribunal had taken all the factors into consideration and granted just and reasonable compensation. There are no circumstances to vary the same and ultimately, prayed to dismiss the appeal.

5. As seen from the medical evidence on record, the appellant has not received grievous injuries. She suffered only simple injuries. The Tribunal assessed the compensation on all heads and granted compensation. There is no justification to consider the request of the appellant. Therefore, the appeal is devoid of merit and is liable to be dismissed.

6. Accordingly, the Civil Miscellaneous Appeal is dismissed confirming the award, dated 15.06.2004, in O.P.No.68 of 2002, passed by the Motor Accident Claims Tribunal-cum-IV Addl. Chief Judge, City Civil Court, Hyderabad . No order as to costs. Miscellaneous petitions, if any pending in this appeal shall stand closed.

DR.SHAMEEM AKTHER, J

DATED: 21-06-2018

Hsd

