

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.3213 of 2005

JUDGMENT:

This appeal is filed under Section 173 of the Motor Vehicles Act, 1988 (for short 'the Act'), by the appellant-claimant aggrieved by the order dated 29.09.2005 in M.V.O.P.No.120 of 2004 on the file of the Motor Accident Claims Tribunal-cum-II Additional District Judge, Nalgonda (for short 'the Tribunal').

2. Though the matter is posted 'for orders', there is no representation for both sides. This appeal is of the year 2005. It underwent several adjournments. Hence, this appeal can be disposed of on merits basing on the material available on record.

3. The appeal is filed contending that the Tribunal granted meagre compensation. The appellant suffered grievous and multiple injuries. There was also loss of eye vision. Hence, the appellant prayed to allow the appeal to enhance the compensation.

4. There is no dispute with regard to the appellant suffering injuries in a road accident caused by auto bearing No.AP-24-U-2383 driven by its driver in a rash and negligent manner on 23.11.2001. The only dispute is with regard to quantum of compensation.

5. The Tribunal while dealing with the claim petition, relied on oral and documentary evidence and granted compensation of Rs.10,000/- to the appellant-claimant. As per Ex.A3-medical certificate, the appellant suffered simple injuries. The Tribunal disbelieved Ex.A8-medical bills to a tune of

Rs.34,000/- . P.W.2-doctor was examined to prove the two injuries suffered by the appellant. Spending an amount of Rs.34,000/- towards medical bills is doubtful. The Tribunal granted compensation of Rs.2,000/- towards pain and suffering, Rs.5,000/- towards medical bills, Rs.3,000/- towards loss of income. In total, the Tribunal granted Rs.10,000/- towards compensation.

6. Since there is no record to show the disability, etc., as contended by the appellant, there is justification in granting compensation of Rs.10,000/- with interest @ 9% per annum to the appellant. There is no infirmity in the order under challenge.

7. In the result, the appeal is dismissed.

Miscellaneous Petitions pending, if any, shall stand closed.

No costs.

Date: 24.07.2018
ssp

Dr. SHAMEEM AKTHER, J

