

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.3493 OF 2005

JUDGMENT:

This appeal, under Section 173 of the Motor Vehicles Act, 1988, is filed by the appellant/claimant aggrieved by the grant of compensation of Rs.3,25,000/- with proportionate costs and interest at the rate of 7.5% per annum from the date of petition till the date of deposit, as against a claim of Rs.5,00,000/-, by the learned VI Additional District Judge, Visakhapatnam (for short, "the Tribunal") *vide* order, dated 06.06.2005, passed in M.O.P.No.382 of 2004.

2. No representation for the appellant/claimant. The appeal pertains to the year 2005. So, it is being disposed of basing on the material available on record. Perused the material on record.

3. This appeal is filed contending that the Tribunal did not consider the medical evidence and the nature of injuries; that the Tribunal ought to have granted the total compensation of Rs.5,00,000/- as there is ample evidence to show that the claimant suffered permanent disability and an attendant is required to assist her; and ultimately, prayed to enhance the compensation.

4. While dealing with the subject matter of the impugned order, the Tribunal rightly recorded the injuries and also the consequences arose therefrom. Considering the entire oral and documentary evidence, the Tribunal was pleased to grant a compensation of Rs.3,25,000/- with proportionate costs and interest at the rate of 7.5% per annum. The said award is based

on the evidence on record. There are no circumstances to vary with the impugned order. The appeal is devoid of merit and is liable to be dismissed.

5. Accordingly, the appeal is dismissed. There shall be no order as to costs.

6. Miscellaneous petitions pending, if any, in this appeal shall stand closed.

DR.JUSTICE SHAMEEM AKTHER

Date : 11.09.2018
AMD



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