

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.2138 of 2005

JUDGMENT:

Aggrieved by the grant of compensation of Rs.74,500/- as against a claim of Rs.2,00,000/-, vide order, dated 02.06.2005, passed in O.P.No.266 of 2002 by the Motor Accident Claims Tribunal-cum-IV Additional District Judge (FTC), Anantapur ('the Tribunal', for brevity), the claimant preferred this appeal under Section 173 of the Motor Vehicles Act, 1988 ('the Act', for brevity), seeking enhancement of compensation.

2. Despite listing this matter under the caption "For Orders", there is no representation for both sides. On earlier several occasions also, there was no representation for both sides. This appeal is of the year 2005. Hence, this appeal can be disposed on merits, basing on the material available on record, without waiting for both the learned counsel to advance arguments.

3. As per the material placed on record, the claimant, who was a student studying 4th standard, suffered injuries in the subject accident occurred on 03.04.2002, due to rash and negligent driving of the driver of the RTC bus bearing registration No.AP-09-Z-6731. As per the evidence of P.W.3- Dr.Anand Alladi who treated the claimant, the claimant suffered the following injuries in the subject accident.

1. Public Ramas of Pelvis.
2. Liver Hematoma.
3. Edamatus Pancreas
4. Contusion – bladder wall
5. Abdominal wall and right thigh hematoma

4. P.W.3-doctor opined that injuries 1 to 3 are grievous in nature. The Tribunal, relying on the medical evidence, held that the claimant suffered three grievous and three simple injuries in the subject accident and awarded an amount of Rs.15,000/- each for three grievous injuries, Rs.1,500/- each for three simple injuries and Rs.25,000/- towards medical expenses. In all, the Tribunal granted a compensation of Rs.74,500/- in favour of the claimant. Grant of said compensation in favour of the claimant is just and reasonable in the facts and circumstances of the case. There are no circumstances to interfere with the impugned order. There is nothing to take a different view. The appeal is devoid of merit and is liable to be dismissed.

5. In the result, the appeal is dismissed. No costs.

Pending Miscellaneous petitions, if any, shall stand closed.

05th September, 2018
Bvv

Dr. SHAMEEM AKTHER, J