

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

C.M.A.No.4196 of 2004

JUDGMENT:

Aggrieved by the grant of compensation of Rs.14,952/- as against a claim of Rs.2,00,000/- by the Chairman, Motor Accident Claims Tribunal-cum-District Judge, Adilabad, ('the Tribunal' for brevity), vide order, dated 24.05.2004, passed in O.P.No.824 of 2000, the claimant preferred this appeal under Section 173 of the Motor Vehicles Act, 1988 ('the Act', for brevity) seeking enhancement of compensation.

2. Heard the learned counsel for the appellant-claimant and perused the record. There is no representation for the 2nd respondent-Insurance Company. This appeal is of the year 2004. It underwent several adjournments. Hence, this appeal can be disposed of on merits without waiting for the learned Standing Counsel for the 2nd respondent-Insurance Company to advance arguments.

3. The learned counsel for the appellant-claimant would contend that the appellant-claimant suffered grievous injuries in the motor accident that occurred on 20.09.1999 and incurred huge medical expenses. The Tribunal granted a meagre compensation of Rs.14,952/- as against a claim of Rs.2,00,000/- and ultimately prayed to enhance the compensation as prayed for.

4. As seen from the record, the appellant-claimant suffered injuries in a road accident that occurred on 20.09.1999 due to rash and negligent driving of the driver of the jeep bearing registration

No.MH-31-G-8663. As per Ex.A.3-Injury Certificate, the appellant-claimant suffered simple injury, i.e., lacerated injury on chin. X-ray of chest and abdomen showed no abnormality. The Tribunal, after analysing the oral and documentary evidence on record, awarded a sum of Rs.5,000/- to the simple injury and a sum of Rs.9,952/- towards medical expenses to the appellant-claimant. In all, the Tribunal awarded a compensation of Rs.14,952/- to the appellant-claimant along with interest at the rate of 9% per annum from the date of petition. The findings of the Tribunal are based on evidence. There are no circumstances to interfere with the award passed by the Tribunal. The appeal is devoid of merit and is liable to be dismissed.

5. In the result, the appeal is dismissed.

Miscellaneous Petitions pending, if any, shall stand closed. No order as to costs.

13th June, 2018
Bvv

Dr. SHAMEEM AKTHER, J