

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.991 of 2005

JUDGMENT:

Aggrieved by the grant of compensation of Rs.25,000/- as against a claim of Rs.2,50,000/- by the XI Additional Chief Judge (FTC), City Civil Court, Hyderabad, vide order, dated 30.09.2004, passed in O.P.No.2318 of 2002, 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 appellant-claimant, the learned Standing Counsel for APSRTC representing the respondents 1 and 2 and perused the record.

3. The learned counsel for the appellant-claimant would submit that the appellant-claimant had suffered grievous injuries in the motor accident that occurred on 27.07.2002 due to the rash and negligent driving of the driver of the APSRTC bus bearing registration No.AP-11-Z-29. He claimed a compensation of Rs.2,50,000/-. The Tribunal granted a compensation of Rs.25,000/-, which is meagre and ultimately prayed to enhance the compensation as claimed.

4. On the other hand, the learned Standing Counsel for the APSRTC representing the respondents 1 and 2 would contend that the Court below had taken all the relevant factors into consideration and granted just and reasonable amount as compensation. There are no circumstances to enhance the same and ultimately prayed to dismiss the appeal.

5. It is not in dispute that the appellant-claimant suffered one grievous and two simple injuries in the motor accident that occurred on 27.07.2002 due to the rash and negligent driving of the driver of the APSRTC bus bearing registration No.AP-11-Z-29. So, the only point that arises for determination in this appeal is whether the appellant-claimant is entitled for enhancement of compensation as claimed.

6. The Court below, after analysing the entire evidence on record, awarded compensation to the appellant-claimant as detailed below.

1.	One grievous injury	Rs.5,000/ -
2.	Two simple injuries	Rs.1,000/ -
3.	Medical expenses as evidenced by Ex.A.8 bills.	Rs.2,945/ -
4.	Disability estimated by me at 5% on the income of Rs.2,500/- p.m. with multiplier 16	Rs.16,000/ -
TOTAL		Rs.25,945/ -

7. The Court below assigned valid reasons for granting the said amount as compensation to the appellant-claimant. In view of the facts and circumstances of the case, the compensation of Rs.25,000/- granted in favour of the appellant-claimant by the Court below is just and reasonable. There are no circumstances to interfere with the same. The appeal is devoid of merit and is liable to be dismissed.

In the result, the appeal is dismissed.

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

Dr. SHAMEEM AKTHER, J

09th July, 2018
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