

THE HON'BLE DR.JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.2855 OF 2005

JUDGMENT:

This appeal, under Section 173 of the Motor Vehicles Act, 1988, is filed by the appellant/Andhra Pradesh State Road Transport Corporation, Mahabubnagar Depot, Mahabubnagar (presently, "T.S.R.T.C."), aggrieved by the grant of compensation of Rs.1,37,000/- with proportionate costs and interest at the rate of 9% per annum from the date of petition till the date of realisation, as against a claim of Rs.2,50,000/-, to the respondent/claimant, by the learned Chairman, Motor Accident Claims Tribunal – cum – III Additional District & Sessions Judge, Mahabubnagar at Gadwal (for short, "the Tribunal") *vide* order, dated 10.06.2005, passed in O.P.No.347 of 2001.

2. No representation for the appellant/R.T.C. in spite of posting the matter under the caption "For Orders". The appeal pertains to the year 2005. So, it can be disposed of basing on the material available on record. Perused the material on record.

3. The Tribunal, having recorded a finding regarding the rashness and negligence on the part of the driver of R.T.C. Bus bearing No.AP 10Z 8589 in causing the subject accident and the injuries to the claimant on 03.03.2001, awarded the compensation of Rs.1,37,000/- with proportionate costs and interest at the rate of 9% per annum. The Tribunal had also recorded a finding with regard to the nature of injuries suffered by the claimant and the consequences arose therefrom. Grant of compensation of

Rs.1,37,000/- with interest at the rate of 9% per annum is not excessive. 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.

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

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

Date : 11.09.2018
AMD

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