

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

M.A.C.M.A.No.912 OF 2005

JUDGMENT:

This appeal is filed under Section 173 of the Motor Vehicles Act, 1988 (for short, 'the Act'), by the appellant-claimant aggrieved by the order dated 14.12.2004 in M.V.O.P.No.173 of 2000 on the file of the Motor Accident Claims Tribunal-cum-I Additional Chief Judge, City Civil Court, Secunderabad (for short 'the Tribunal').

2. Even though the appeal is listed under the caption 'for orders', there is no representation for both sides. Hence, it appears that the parties have no interest to pursue the matter. Hence, it can be disposed of on merits basing on the material available on record.

3. The Tribunal while dealing with the subject matter of the appeal was pleased to grant compensation of Rs.4,67,604/- against the claim of Rs.10,00,000/- with interest @ 9% per annum. This appeal is filed for enhancement of compensation.

4. The Tribunal while dealing with the subject matter of the claim held that the appellant suffered injuries in a motor accident that occurred on 18.11.1998 due to the rash and negligent driving of the driver of tipper bearing No.ADT 7458 and granted the aforementioned compensation. While assessing the compensation, the Tribunal had taken the nature of injuries, loss of earnings of the claimant, etc., into consideration and granted compensation of Rs.4,67,604/-. In toto, the Tribunal had elaborately discussed the oral and documentary evidence in assessing the compensation. The findings are based on evidence on record. There is no infirmity in the order under challenge. No other opinion is required to be substituted.

5. In the result, the appeal is dismissed.

The Miscellaneous Petitions, if any, pending shall stand closed.

No costs.

Dr. SHAMEEM AKTHER, J

Date: 16.08.2018
ssp

