

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

C.M.A.No.3306 of 2004

JUDGMENT:

Dissatisfied with the quantum of compensation of Rs.30,000/- awarded by the Chairman, Motor Accident Claims Tribunal-cum-II Additional District Judge, Visakhapatnam ('the Tribunal' for brevity), vide order, dated 16.01.2003, passed in M.O.P.No.1042 of 2000, as against the total claim of Rs.3,00,000/-, the claimant preferred this appeal under Section 173 of the Motor Vehicles Act, 1988 ('the Act', for brevity) seeking enhancement of compensation.

2. Despite the matter being listed under the caption 'for orders', there is no representation for the appellant-claimant. Heard the learned Standing Counsel for 3rd respondent-Insurance Company.

3. Learned Standing Counsel for the respondent-Insurance company would submit that the Tribunal analysed the entire evidence and granted just and reasonable compensation. There are no circumstances to enhance the compensation and prayed to dismiss the appeal.

4. The point that arise for determination is, whether the appellant is entitled for enhancement of compensation as prayed for?

5. While dealing with the subject matter, the Tribunal had elaborately analysed the entire evidence and granted compensation of Rs.30,000/- with interest @ 9% per annum from the date of petition till the date of realisation. The Tribunal particularly taking into consideration the nature of the injuries and subsequent consequences determined the compensation. There is nothing to take a different view. The appeal is devoid of merit and is liable to be dismissed.

6. In the result, the appeal is dismissed.

Miscellaneous Petitions pending, if any, shall stand closed. There shall be no order as to costs.

26th June, 2018
ssp

Dr. SHAMEEM AKTHER, J

