

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. NO.2242 OF 2014

JUDGMENT:

This appeal is preferred by the appellant-insurance company questioning the order of the Motor Accident Claims Tribunal-cum-X Additional Chief Judge, City Civil Court at Hyderabad (for short, the Tribunal) in M.V.O.P.No.1615 of 2010 dated 13.12.2013.

2. The brief facts of the case are that on 18.04.2009 at about 1.30 pm., while the claimant, respondent No.1 herein, was proceeding on his motorcycle No.AP29C 9342 from Monappa Island towards Greenlands Cross Road, and when he reached Begumpet new flyover bridge, one Verna car bearing No.AP9BT 333 came from back side of the motorcycle of the claimant with rash and negligent manner in high speed and dashed him, as a result of which, the claimant sustained compound fracture of right leg, grievous head injury and other injuries all over the body. He filed claim petition seeking compensation of Rs.2,00,000/- for the injuries sustained by him in the said road accident.

3. In the claim petition, owner of the car, respondent No.2 herein, remained *ex parte*. The appellant-insurance company filed a counter denying the allegations and contended that the amount claimed by the claimant is highly excessive and that it is not liable to pay any compensation and therefore prayed to dismiss the claim petition.

4. After considering the oral and documentary evidence on record, the Tribunal came to the conclusion that the accident

occurred due to the rash and negligent driving of the driver of the car and awarded total compensation of Rs.1,18,100/- under various heads, with interest at the rate of 7.5% per annum. Aggrieved by the said order, the appellant/insurance company filed the present appeal.

5. Heard.

6. A perusal of the order reveals that the Tribunal passed a well considered order by taking into consideration all the aspects. Therefore, I see no reason to interfere with the order of the Tribunal and the appeal is liable to be dismissed.

7. Accordingly, the Motor Accident Civil Miscellaneous Appeal is dismissed. Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

Date: 29-11-2018
TJMR

T.AMARNATH GOUD, J