

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1063 OF 2005

JUDGMENT:

Appellant-claimant filed this appeal against the Judgment dated 17.01.2005 in M.V.O.P.No.423 of 2002 on the file of the Principal Motor Accidents Claims Tribunal (Principal District Court) at Warangal (for short, the Tribunal), whereunder the Tribunal granted an amount of Rs.80,000/- towards compensation along with interest @ 9% per annum as against the claim of Rs.3,00,000/- on account of the injuries sustained by the appellant in the motor vehicle accident occurred on 05-02-2002.

2. The manner of accident and the injuries sustained by the appellant-claimant are not in dispute and the appellant challenged the impugned Judgment only on the quantum of compensation awarded by the Tribunal. Therefore, this Court is not inclined to go into other details other than the quantum of compensation.

3. Learned counsel for the appellant submitted that the Tribunal erroneously granted meager compensation for the injuries sustained by the appellant and sought to enhance the same.

4. As per Ex.A.27, the appellant sustained four injuries i.e., (1) fracture of lateral tibial condyle left, (2) commuted fracture of both bones of right leg at lower 1/3rd, (3) fracture of right shaft femur of lower 1/3rd and (4) contusion over right frontal region. P.W.3, the doctor who treated the appellant, deposed that injuries 1 to 3 are grievous and injury No.4 is simple. According to him, all the

fractures united and he issued Ex.A.7-disability certificate. Taking into consideration the same, the Tribunal awarded total compensation of Rs.80,000/- i.e., Rs.45,000/- towards pain and suffering, Rs.20,000/- towards medical expenses, Rs.10,000/- towards disability and Rs.5,000/- towards loss of earnings, which in the opinion of this Court, are just and reasonable. Hence, I see no grounds to interfere with the order of the Tribunal.

5. Accordingly, the Motor Accidents Civil Miscellaneous Appeal is dismissed confirming the order of the Tribunal dated 17.01.2005 in M.V.OP.No.423 of 2002. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Date: 23-10-2019
TJMR

T.AMARNATH GOUD, J

