

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

MACMA NO. 1259 OF 2006

JUDGMENT:

This appeal is directed by the injured claimant against the order and decree dated 25.11.2005 passed in O.P.No.113 of 2003 by the III Additional District and Sessions Judge, FTC, Ranga Reddy District (for short 'the Tribunal), whereby the tribunal granted compensation of Rs.37,826/- with interest @ 9% per annum in a motor vehicle accident that occurred on 21.12.2002 at about 06.00 p.m, when the claimant attending his duty proceeding on his luna bearing No.ATO 4142 towards his residence Kurmalguda from Nadergul, he reached near Reddy Cheruvu Katta, one tractor bearing No.AP 22 U 4403 and 4404 being driven by its driver in a rash and negligent manner in high speed dashed against the luna in opposite direction, for which the petitioner sustained fracture to the middle finger and on the head besides multiple injuries all over his body, he was shifted to Osmania General Hospital for treatment and that he was treated as inpatient for more than 20 day and that underwent surgery, as against the claim of Rs.1,00,000/-.

2. Before the tribunal, respondent No.1 remained exparte. Respondent No.2 filed counter denying the claim petition.

3. In order to prove the case of the claimant, PWs.1 and 2 were examined and marked Exs.A1 to A.8 and Ex.B.1-policy copy for defence. No oral evidence was adduced on behalf of the respondents.

4. It is a case of injuries. On perusal of the material available on record and having regard to the facts and circumstances of the case, the order passed by the tribunal is well considered. However, the injured suffered injury on left hand, inter costal drainage tube was inserted into the chest as life saving measure and hence, another Rs.10,000/- was granted, which is just and proper. Thus, the claimant is entitled for total compensation of Rs.47,826/- (Rs.37,826/- + Rs.10,000/-) with interest @ 7.5% per annum from the date of petition till the date of realization.

5. In view of the above, the appeal is allowed in part. There shall be no order as to costs.

Miscellaneous petitions if any, shall stand closed.

T.AMARNATH GOUD,J

Date: 25-10-2019
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