

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.829 of 2006

JUDGMENT:

This appeal is filed by the appellant/claimant questioning the order passed in O.P.No.777 of 2001 dt.24-10-2005 of the Motor Accident Claims Tribunal-cum- District Judge (F.T.C.), Nizamabad (for short, the Tribunal).

2. Brief facts of the case are that the claimant filed the claim petition against the respondents claiming compensation of Rs.1.50 lakhs for the injuries sustained by him in the accident occurred on 26-09-2000 due to the rash and negligent driving of the driver of the auto bearing No.AP 12U 1408, driven by its driver, when he is proceeding on scooter as a pillion rider and when he reached Bibipur thanda..

3. In the claim petition, the 2nd respondent-insurer 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 rash and negligent driving of the driver of the crime vehicle and accordingly granted an amount of Rs.35,000/- towards

compensation. Aggrieved by the same, the claimant filed this appeal for enhancement of compensation.

5. Heard the learned counsel for the appellants/claimants and Sri N.J.Suneel Kumar, learned Standing Counsel for the 2nd respondent and perused the material available on record.

6. As seen from the case on hand, the claimant has not made out his case for considering enhancement of compensation since there is no evidence on record either oral or documentary in support of his claim. Further, on perusal of the impugned order passed by the Tribunal, it is clear that the Tribunal after appreciating the oral and documentary evidence came to the conclusion and rightly granted compensation. I find no illegality or irregularity in the order passed by the Tribunal and therefore the order does not warrant any interference by this Court and accordingly, the appeal is liable to be dismissed.

7. Accordingly, the Appeal is dismissed. No costs.

8. Miscellaneous petitions pending, if any, shall stand dismissed.

T.AMARNATH GOUD, J

Date: 12-11-2019

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