

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.No.775 of 2006

JUDGMENT:

Appellant-claimant filed this appeal against the award dated 31.01.2006 passed in O.P.No.715 of 2002 by the Chairman, Motor Accidents Claims Tribunal-cum-I Additional District Judge, Adilabad, whereby and whereunder the Tribunal granted an amount of Rs.5,000/- towards compensation along with interest @ 7% per annum as against the claim of Rs.75,000/- on account of the injuries suffered by the appellant in the motor vehicle accident occurred on 31.07.2001.

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

3. Heard the learned counsel for the appellant and Ms.Satya Manjula, learned Standing Counsel for the respondent-Insurance Company.

4. Merely because the appellant failed to examine the doctors from Government Hospital, the Tribunal ought not to have doubted the claim of the appellant. As can be seen from Ex.A.2-Injury Certificate, the appellant-injured suffered two injuries, out of which, one is dislocation of hip joint and the other one is fracture. Therefore, it would be just and proper to grant an amount of Rs.2,000/- towards abrasion and Rs.10,000/- for the fracture sustained by the appellant, in addition to the amount already awarded by the Tribunal.

5. Accordingly, the appeal is partly allowed enhancing the compensation from Rs.5,000/- to Rs.17,000/- along with interest @ 7.5% per annum on the enhanced compensation amount payable by both the respondents jointly and severally. The entire compensation shall be deposited to the credit of the O.P. before the Tribunal, within a period of two months from the date of receipt of copy of this order. On such deposit, the appellant-claimant is entitled to withdraw the same.

Miscellaneous petitions pending in this appeal, if any, shall stand closed. No order as to costs.

18.09.2019
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T. AMARNATH GOUD, J

