

**HON'BLE SRI JUSTICE T.AMARNATH GOUD**

**M.A.C.M.A. No.2627 of 2006**

**JUDGMENT:**

This appeal is filed by the appellant-claimant aggrieved by the Order and Decree dated 08-06-2006 passed in O.P.No.780 of 2002 by the M.A.C.T.-cum-IV Additional District Judge, (F.T.C.), Mahabubnagar. (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.1.00 lakhs for the injuries sustained by him in the accident occurred on 08-07-2002 in a motor accident at new town area, Mahabubnagar.

3. In the claim petition, the 2<sup>nd</sup> respondent-insurer filed its counter denying the averments of the claim petition and contended that the amount claimed is excessive and prayed to dismiss the claim petition.

4. After considering the oral and documentary evidence on record, the Tribunal held that the accident occurred due to rash and negligent driving of the driver of the crime vehicle and accordingly granted compensation of Rs.22,000/- under all heads with interest @ 9% p.a., payable by both the respondents.

5. Aggrieved by the same, the appellant/claimant filed the present appeal.

6. Heard and perused the material available on record.

7. It is evident from the record that the claimant sustained two grievous fracture injuries and two simple injuries. The Tribunal granted Rs.22,000/- compensation for all these injuries. This Court feels that the said compensation needs to be enhanced @ Rs.15,000/- each towards two fractures, Rs.5,000/- towards two simple injuries and Rs.5,000/- towards medical expenses, totaling Rs.40,000/- instead of Rs.22,000/-.

8. In the result, the appeal is allowed in part enhancing the compensation from Rs.22,000/- to Rs.40,000/- (Rupees Forty Thousand only) with interest at 7.5% per annum through out. The respondents are directed to deposit the said amount along with proportionate costs and interest within two months from the date of receipt of a copy of this order. On such deposit, the appellant/claimant is permitted to withdraw the entire amount. No costs.

9. Miscellaneous petitions pending, if any, shall stand closed.

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**JUSTICE T.AMARNATH GOUD**

Date: 09.12.2019  
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