

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.792 OF 2006

JUDGMENT:

Appellant-claimant filed this appeal against the Award dated 02.02.2006 in M.A.T.O.P.No.763 of 2001 on the file of the Motor Accidents Claims Tribunal-cum-II Additional District Judge (FTC-I), Khammam (for short, the Tribunal), whereunder the Tribunal granted an amount of Rs.86,000/- towards compensation along with interest @ 7.5% per annum as against the claim of Rs.2,00,000/- on account of the injuries sustained by the appellant in the motor vehicle accident occurred on 16.02.2001.

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 go into other details other than the quantum of compensation.

3. Smt.N.Uma Devi, learned counsel representing Smt.B.Vijaya Lakshmi, 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. Smt.I.Maamu Vani, learned Standing Counsel appearing for respondent No.4-insurance company, submitted that the Tribunal passed a well reasoned order by appreciating the evidence adduced before it and sought to dismiss the appeal.

5. In the accident, the appellant sustained four simple injuries and one fracture injury i.e., fracture to both bones of left leg. As per Ex.A.4, discharge summary, the appellant was admitted in Cure Hospital, Khammam and took treatment. Thereafter, as there was non-union of fracture of both bones of her left leg, the appellant was admitted in Apollo Hospital, Hyderabad, and underwent one surgery. In view of the injuries sustained by the appellant, this Court is inclined to grant lump sum amount of Rs.2,00,000/- under the heads of pain and suffering, medical bills, transportation and extra nourishment.

6. In the result, the Motor Accident Civil Miscellaneous Appeal is allowed enhancing the compensation amount awarded by the Tribunal from Rs.86,000/- to Rs.2,00,000/-. The enhanced amount shall carry interest @ 7.5% per annum. Miscellaneous petitions pending, if any, shall stand closed. No costs.

T.AMARNATH GOUD, J

Date: 01-10-2019
TJMR