

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

Civil Revision Petition No.5318 of 2010

ORDER:

This Civil Revision Petition, under Section 115 of the Code of Civil Procedure, 1908, is filed by the petitioner/respondent No.2, challenging the order, dated 27.12.2004, passed in O.P.No.1244 of 2001, by the III Additional Chief Judge, City Civil Court, Hyderabad, whereby, on a petition filed by the 1st respondent herein/petitioner under Section 166 read with Section 140 of the Motor Vehicles Act, 1986, claiming a compensation of Rs.1,00,000/- with interest @ 24% per annum from the date of accident till the date of realisation, for the injuries sustained by her in a motor vehicle accident, the Tribunal awarded an amount of Rs.7,000/- as compensation with interest @ 6% per annum from the date of petition till the date of realisation.

2. Heard the learned counsel for both the sides and perused the record.

3. Admittedly, on 04.12.2000 at about 04:30 PM, the 1st respondent herein/petitioner sustained injuries in a motor accident, when the tractor-trailer in which she was travelling turned turtle. The 1st respondent herein/petitioner contended that she suffered fracture to the clavicle bone, injuries on the head and stomach, on her back and all over the body and claimed a compensation of Rs.1,00,000/-. The Tribunal, after

analysing the entire material on record, granted an amount of Rs.5,000/- towards pain and suffering, Rs.1,000/- towards loss of income and Rs.1,000/- towards transportation expenses, extra nourishment and damage to clothing. The Tribunal further held that the petitioner herein and the 2nd respondent herein, being the insurer and the owner of the crime vehicle, are jointly and severally liable to pay the awarded compensation with interest @ 6% per annum from the date of petition till the date of realisation.

4. No perversity or illegality is found in the order under challenge. The Tribunal meticulously examined the matter and passed a reasoned order, which requires no interference. The Tribunal is justified in passing the impugned order and there is nothing to vary the same. The Civil Revision Petition is devoid of merit and is liable to be dismissed.

5. Accordingly, the Civil Revision Petition is dismissed. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this Civil Revision Petition, stands closed.

28th November, 2019
Bvv

Dr. SHAMEEM AKTHER, J