

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1663 OF 2006

JUDGMENT:

Appellant-claimant filed this appeal against the Order and Decree dated 28.04.2006 in O.P.No.398 of 2003 on the file of the Motor Accident Claims Tribunal-cum-II Additional District Judge (FTC) at Adilabad (for short, the Tribunal), whereunder the Tribunal granted an amount of Rs.43,000/- towards compensation along with interest @ 9% 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 17.02.2003.

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. Sri S.Surender Reddy, 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. Despite service of notice on the respondents, there is no representation on their behalf. Hence, this Court is inclined to dispose of the matter on merits basing on the material available on record.

5. As per Ex.A.2-injury certificate, the appellant suffered a fracture to his left index finger. As per Ex.A.4-discharge card, the appellant underwent surgery in Gandhi Hospital, Hyderabad and screws were fixed to the fracture sustained by the appellant. Basing on the above evidence, the Tribunal awarded Rs.25,000/- towards fracture injury, Rs.5,000/- towards medical expenses, Rs.5,000/- towards nourishment, Rs.2,000/- towards transportation and Rs.6,000/- towards loss of income, which in the opinion of this Court, are just and reasonable. Hence, I see no grounds to interfere with the order of the Tribunal.

6. In the result, the Motor Accidents Civil Miscellaneous Appeal is dismissed confirming the order of the Tribunal dated 28.04.2006 in OP.No.398 of 2003. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

T.AMARNATH GOUD, J

Date: 29-10-2019
TJMR