

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.176 of 2006

JUDGMENT:

This appeal is filed by the appellant/claimant questioning the order passed in O.P.No.1210 of 2001 dt.02-09-2005 of the M.A.C.T.-cum- District Judge, Nizamabad (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 04-04-2001 due to the rash and negligent driving of the driver of the Jeep bearing No.AP 25/T-9287, when he is proceeding in the same vehicle at Chepala Centre, Main road, Arsapalli, Nizamabad.

3. In the claim petition, both the respondents, who are the owner and insurer of the crime vehicle, filed their counters denying the allegations and contended that the amount claimed by the claimant is highly excessive and that it is not liable to pay any compensation and therefore prayed to dismiss the claim petition.

4. After considering the oral and documentary evidence on record, the Tribunal came to the conclusion that the accident occurred due to rash and negligent driving of the driver of the crime vehicle and accordingly granted an amount of Rs.5,000/- towards compensation. Aggrieved by the same, the claimant filed this appeal.

5. Heard and perused the material available on record.

6. As seen from the case on hand, the claimant has not made out his case for considering enhancement of compensation since there is no evidence on record either oral or documentary in support of his claim. Further, on perusal of the impugned order passed by the Tribunal, it is clear that the Tribunal after appreciating the oral and documentary evidence came to the conclusion and rightly granted compensation. I find no illegality or irregularity in the order passed by the Tribunal and therefore the order does not warrant any interference by this Court and accordingly, the appeal is liable to be dismissed.

7. Accordingly, the Appeal is dismissed. No costs.

8. Miscellaneous petitions pending, if any, shall stand dismissed.

T.AMARNATH GOUD, J

Date: 04-12-2019
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