

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1262 of 2006

JUDGMENT:

This appeal is filed by the appellant/claimant questioning the order passed in O.P.No.160 of 2002 dt.27-01-2006 of the Motor Accident Claims Tribunal –cum- V Additional District Judge, Nizamabad (for short, the Tribunal).

2. Brief facts of the case are that on 10-12-2001 when the claimant was traveling in the jeep bearing No.AP 25 T 5156 from Varni bus stand to go to Nizamabad and when it reached near Mallaram gandhi at about 7.30 pm, its driver has driven it with high speed in a rash and negligent manner and dashed against tree situated by the side of the road, due to which, he sustained multiple fractures and injuries to all over the body. Hence, he filed claim petition claiming compensation of Rs.2.00 lakhs for the injuries sustained by him.

3. In the claim petition, the 2nd respondent-insurer filed a counter 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 held that the accident occurred due to the rash

and negligent driving of the driver of the crime vehicle and accordingly, granted an amount of Rs.6,000/- 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: 05-11-2019
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