

HONOURABLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.No.2369 of 2006

JUDGMENT:

This appeal is filed by the injured claimant under Section 173 of the Motor Vehicles Act aggrieved by the common order passed by the Motor Accidents Claims Tribunal-cum-II Additional District Judge, Warangal (for short 'the Tribunal') in O.P.No.1229 of 2002 and batch dated 13.08.2004, for the injuries sustained by him.

2. The Tribunal has examined the appellant-injured claimant as PW.2 and marked exhibits and after framing the issues, allowed in part the claim by awarding compensation of Rs.47,577/- against the claim of Rs.1,50,000/-.

3. Aggrieved by the meager amount awarded by the Tribunal, the claimant preferred the present appeal with the contentions that the Tribunal ought to have awarded the amount as claimed by the claimant and sought for enhancement of the amount by allowing the appeal.

4. Learned counsel for respondents Nos.2 & 3 supported the order of the Tribunal and sought for dismissal of the appeal.

5. From perusal of the material on record, on the strength of the evidence of PW.2 and Ex.A60-wound certificate, though the Tribunal has considered that the claimant sustained 4 grievous injuries and one simply injury, the Tribunal has not awarded any amount for the injuries, but awarded the compensation of

Rs.47,577/- on different heads. This Court feels that awarding of said amount is meager and the same needs to be enhanced.

6. In view of the above, this Court considers just to award a sum of Rs.15,000/- each for 4 grievous injuries which comes to Rs.60,000/- and Rs.1,000/- for one simple injury in addition to the amount awarded by the Tribunal of Rs.47,577/- and the compensation to which the injured claimant entitled is Rs.1,08,577/-.

7. Accordingly and in the result, this Appeal is allowed by enhancing the amount awarded by the Tribunal to Rs.1,08,577/- from Rs.47,577/-. The enhanced amount shall carry interest at 7.5% per annum from the date of petition till the date of realization. No costs.

Miscellaneous petitions if any shall stand closed.

Date: 06.11.2019
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T.AMARNATH GOUD, J