

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1939 OF 2006

JUDGMENT:

Appellant-claimant filed this appeal against the Order dated 17.05.2006 in O.P.No.1000 of 2003 on the file of the Motor Accidents Claims Tribunal (IV Additional District Judge, II FTC) at Nalgonda (for short, the Tribunal), whereunder the Tribunal granted an amount of Rs.59,000/- towards compensation along with interest @ 8% 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 01-08-2002.

2. The manner of accident and the injuries sustained by the appellant-claimant are not in dispute and the appellant challenged the impugned Order 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. Smt.K.Rajitha, 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. Sri N.S.Bhaskara Rao, learned counsel for respondent No.2, submitted that the Tribunal passed a well reasoned order by appreciating the evidence adduced before it and sought to dismiss the appeal.

5. As per Ex.A.3, the appellant sustained four simple injuries i.e., deformity of left arm, abrasions over left thigh, left foot and on right hand fingers and one grievous injury i.e., crushed wounds on left palm. P.W.3, the doctor who treated the appellant, admitted the same. Taking into consideration the same, the Tribunal awarded total compensation of Rs.59,000/- i.e., Rs.15,000/- towards grievous injury, Rs.8,000/- towards simple injuries, Rs.6,000/- towards medical expenses, attendant charges, transportation and extra nourishment, Rs.25,000/- towards disability and Rs.5,000/- towards loss of expectation of life, loss of pleasure and amenities and loss of earnings.

6. As the appellant sustained four simple injuries and one grievous injury, this Court feels that it would be appropriate to enhance the compensation under various heads as follows:

Sl.No.	Name of Head	Awarded by Tribunal	Awarded by this Court
01.	Grievous injury	Rs.15,000/-	Rs.20,000/-
02.	Simple injuries	Rs.8,000/-	Rs.12,000/-
03.	Medical expenses, attendant charges, transportation and extra nourishment	Rs.6,000/-	Rs.6,000/-
04.	Disability	Rs.25,000/-	Rs.25,000/-
05.	Loss of expectation of life, loss of pleasure and amenities and loss of earnings	Rs.5,000/-	Rs.5,000/-
TOTAL		Rs.59,000/-	Rs.68,000/-

7. In the result, the Motor Accident Civil Miscellaneous Appeal is partly allowed enhancing the compensation amount awarded by the Tribunal from Rs.59,000/- to Rs.68,000/-. The enhanced amount

shall carry interest @ 7.5% per annum. Miscellaneous petitions pending, if any, shall stand closed. No costs.

Date: 24-10-2019
Shr

T.AMARNATH GOUD, J

