

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

MACMA NO. 2411 OF 2006

JUDGMENT:

This appeal is directed by the injured claimant against the order and decree dated 21.07.2006 passed in O.P.No.771 of 2003 by the Motor Accidents Claims Tribunal-cum-III Additional District Judge, FTC, Asifabad (for short 'the Tribunal'), whereby the tribunal granted compensation of Rs.22,000/- with interest @ 7.5% per annum from the date of petition till the date of realization in a motor vehicle accident that occurred on 11.05.2003 at about 06.30 p.m, while the claimant was proceeding in an auto bearing No.AP 1 U 2901 from Navagaon Basthi towards Bazaar of Kaghaznagar, when the auto reached near BT road suddenly one Kinetic Boss bearing registration No.AP 1F 1085 came at high speed in opposite direction from market side and dashed against the auto, for which the claimant sustained fracture and other injuries on his body, as against the claim of Rs.1,20,000/-.

2. Before the tribunal, respondent No.1 remained exparte. Respondent No.2 filed counter denying the claim petition.

3. In order to prove the case of the claimant, PWs.1 and 2 were examined and marked Exs.A1 to A.11 and no oral or documentary evidence was adduced on behalf of the respondents.

4. It is a case of injuries. On perusal of the material available on record and having regard to the facts and circumstances of the case, the compensation granted by the tribunal is very meager,

this Court feels to enhance the Rs.6,000/- towards three months loss of income as per evidence of PWs.1 and 2, Rs.15,000/- towards pain and suffering as the claimant received grievous injury, Rs.2,500/- towards transportation and Rs.5,000/- towards medical expenses and extra-nourishment. Thus, the claimant is entitled for Rs.28,500/- with interest @ 7.5% per annum from the date of petition till the date of realization. Respondents are directed to deposit the compensation amount within three months from the date of judgment.

5. In view of the above, the appeal is allowed in part. There shall be no order as to costs.

Miscellaneous petitions if any, shall stand closed.

Date: 30-10-2019
kvrn

T.AMARNATH GOUD,J