

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.3621 OF 2005

JUDGMENT:

Appellant-claimant filed this appeal against the Judgment dated 23.05.2005 in O.P.No.419 of 2001 on the file of the Motor Accidents Claims Tribunal (V Additional District Judge) at Nizamabad (for short, the Tribunal), whereunder the Tribunal granted an amount of Rs.11,750/- towards compensation along with interest @ 9% per annum as against the claim of Rs.1,00,000/- on account of the injuries sustained by the appellant in the motor vehicle accident occurred on 22-09-2000.

2. The manner of accident and the injuries sustained by the appellant-claimant are not in dispute and the appellant challenged the impugned Judgment 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. Sri K.Venugopal, 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. Smt.S.N.Padmini, learned counsel for respondent No.1- insurance company, 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-injury certificate, the appellant sustained one fracture of right knee and laceration wound over chest left side. Taking into consideration the same, the Tribunal awarded total compensation of Rs.11,750/- i.e., Rs.5,000/- towards grievous injury, Rs.1,000/- towards simple injury, Rs.3,750/- towards loss of income and Rs.2,000/- towards extra nourishment. Granting of Rs.5,000/- towards grievous injury is meager and the same is enhanced to Rs.15,000/-. Except the said enhancement, the Judgment of the Tribunal shall remain unchanged.

6. Accordingly, the Motor Accidents Civil Miscellaneous Appeal is partly allowed, enhancing the compensation amount awarded by the Tribunal from Rs.11,750/- to Rs.21,750/-. The enhanced amount shall carry interest @ 7.5% per annum from the date of petition till the date of realization. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Date: 23-10-2019
TJMR

T.AMARNATH GOUD, J