

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

MACMA NO. 1977 OF 2006

JUDGMENT:

This appeal is directed by the claimant against the award dated 09.06.2006 by the Motor Accidents Claims Tribunal (District Judge) at Karimnagar (for short 'the Tribunal'), in O.P.No.875 of 2004.

2. Since the accident has taken place during July, 2004 and O.P. has been disposed of 09.06.2006, this Court feels that the matter needs extensive hearing and accordingly, same shall be disposed of, after affording an opportunity to both sides to argue their case. Further, the trial Court shall award compensation under all heads and pass a speaking order basing on the oral and documentary evidence available on record.

3. This Court finds fault in awarding lumpsum amount of Rs.25,000/- without awarding compensation under different heads.

4. While considering the issue of disability, ***Raj Kumar vs. Ajay Kumar***¹ shall be gone into.

5. In view of the above, this appeal is allowed by setting aside the order passed by the Tribunal dt.09.06.2006 in O.P.No.875 of 2004 and the matter is remanded to the Tribunal. There shall be no order as to costs.

¹ 2011 (1) SCC 343

Miscellaneous petitions if any, shall stand closed.

T.AMARNATH GOUD,J

Date: 19-11-2019
dv

