

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

MACMA NO. 1251 OF 2006

JUDGMENT:

This appeal is directed by the claimant against the judgment and decree dated 14.02.2006 passed by the Motor Accidents Claims Tribunal-cum-District Judge, Nizamabad in O.P.No.1215 of 2001, whereby the tribunal awarded compensation of Rs.90,179/- with proportionate costs and interest @ 7.5% per annum, on account of the accident occurred on 21.03.2001 at 07.30 PM, when the injured along with another was traveling in Maruthi car bearing No. AP 25 F-7878 from Nizamabad to Armoor and when the said car reached near pipe factory at Mamidipalli (v) shivar on N.H.No.16, one APSRTC bus bearing No.AP10Z 5585, of Bheemgal depot driven by its driver in a rash and negligent manner came from opposite direction, dashed against the said Maruthi car, for which the claimant sustained injuries to both side eyes, injuries to head, multiple and grievous injuries to various parts of the body as against the claim of Rs.5,00,000/-.

2. For the sake of convenience, the parties herein are referred to as arrayed in the tribunal.

3. Before the tribunal, respondents filed written statement denying the claim of the claimant.

4. In order to prove the case of the claimant, before the tribunal, PWs.1 and 2 were examined and marked Ex.A.1 to A.9 and Ex.X.1. On behalf of the respondents, RW.1 was examined.

5. Learned counsel appearing for the claimants contended that the tribunal failed to award compensation as the claimant sustained fracture of both bones of right leg, laceration on the scalp, injury to both eyes, underwent operation, lost left eye sight and permanent disability in the accident and hence, prayed to grant just and proper compensation.

6. Learned standing counsel appearing for the RTC contended that the award passed by the tribunal is well considered and hence, prayed to dismiss the appeal.

7. On perusal of the entire material available on record and having regard to the facts and circumstances of the case, the tribunal rightly dismissed the claim petition and hence, needs no interference of this Court. Accordingly, the appeal filed by the claimant is liable to be dismissed.

8. In view of the above, the appeal is dismissed confirming the judgment and decree dated 14.02.2006 passed by the Motor Accidents Claims Tribunal-cum-District Judge, Nizamabad in O.P.No.1215 of 2001. There shall be no order as to costs.

Miscellaneous petitions if any, shall stand closed.

T.AMARNATH GOUD,J

Date: 12.11.2019
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