

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.504 OF 2011

JUDGMENT:

Appellant-claimant filed this appeal against the Order and Decree dated 16.09.2010 in M.V.O.P.No.1351 of 2009 on the file of the Motor Vehicles Accident Claims Tribunal-cum-XIV Additional Chief Judge (Fast Track Court), Hyderabad (for short, the Tribunal), whereunder the trial Court granted an amount of Rs.60,000/- towards compensation along with interest @ 7.5% per annum as against the claim of Rs.1,20,000/- on account of the injuries sustained by the appellant in the motor vehicle accident occurred on 18.03.2009.

2. The manner of accident and the injuries sustained by the appellant-claimant are not in dispute and the appellant challenged the impugned award 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 S.Chandraiah, 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 S.Mujib Kumar, learned Standing Counsel for the respondent-RTC, submitted that the Tribunal passed a well reasoned order by appreciating the evidence adduced before it and sought to dismiss the appeal.

5. P.W.2, the doctor who treated the appellant, deposed that the appellant sustained swelling at the right side of the face i.e., fracture of zygoma and maxilla. Zygoma is located near eye and maxilla is located at right cheek and both fractures are grievous in nature. For the said injuries, the Tribunal granted a sum of Rs.40,000/-, which in the opinion of this Court, is meager and the same is enhanced to Rs.60,000/-. Except the said enhancement, the Award of the Tribunal shall remain unchanged.

6. In the result, the Motor Accident Civil Miscellaneous Appeal is partly allowed enhancing the compensation amount awarded by the Tribunal from Rs.60,000/- to Rs.80,000/-. 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 costs.

Date: 19-12-2019
TJMR

T.AMARNATH GOUD, J