

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.442 OF 2006

JUDGMENT:

Appellant-claimant filed this appeal against the Award dated 24.11.2005 in O.P.No.869 of 2002 on the file of the II Additional Metropolitan Sessions Judge-cum-XVI Additional Chief Judge, Hyderabad (for short, the trial Court), whereunder the trial Court granted an amount of Rs.20,750/- towards compensation along with interest @ 7.5% 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 07-07-1999.

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 trial Court. Therefore, this Court is not inclined to go into other details other than the quantum of compensation.

3. Sri C.Vikram Chandra, 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 Rajesh Babu, learned counsel for respondent No.2- insurance company, submitted that the Tribunal passed a well reasoned order by appreciating the evidence adduced before it and sought to dismiss the appeal.

4. As per Ex.A.4-injury certificate, the injury sustained by the appellant is grievous in nature. Taking into consideration the same, the trial Court awarded total compensation of Rs.20,750/- i.e., Rs.2,000/- towards medical expenses, Rs.3,750/- towards loss of earnings and Rs.15,000/- towards pain and suffering, which in the opinion of this Court, are just and reasonable. Hence, I see no grounds to interfere with the order of the trial Court and therefore, the appeal is liable to be dismissed.

5. Accordingly, the Motor Accidents Civil Miscellaneous Appeal is dismissed, confirming the order of the trial Court dated 24.11.2005 in OP.No.869 of 2002. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Date: 23-10-2019
TJMR

T.AMARNATH GOUD, J