

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.537 OF 2011

JUDGMENT:

Appellant-claimant filed this appeal against the Order and Decree dated 05.12.2006 in O.P.No.269 of 2004 on the file of the Motor Accidents Claims Tribunal-cum-II Additional District Judge, Nalgonda at Suryapet (for short, the Tribunal), whereunder the Tribunal awarded compensation of Rs.15,000/- with interest at the rate of 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 12.02.2003.

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 P.Nageswar Rao, 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.Visaka, representing Smt.M.Bhaskara Lakshmi, learned Standing 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.

5. A perusal of Ex.A.4 and the evidence of P.W.2, the doctor who treated the appellant, it is clear that the appellant sustained injury i.e., fracture of left femur, for which, the Tribunal granted meager compensation of Rs.5,000/- under the head pain and suffering and this Court feels that awarding of Rs.15,000/- for the said injury is just and proper. Except the said modification, the Award passed by 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.15,000/- to Rs.25,000/-. 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.

T.AMARNATH GOUD, J

Date: 19-12-2019
TJMR