

HON'BLE SRI JUSTICE T.AMARNATH GOUD

MACMA.No. 369 OF 2011

JUDGMENT:

This appeal is preferred by the petitioner/claimant in M.V.O.P.No.1948 of 2005 on the file of the Chairman, I Additional Motor Accidents Claims Tribunal-cum-FAC I Additional District Judge, Warangal (for short, 'the Tribunal'), dissatisfied with the award dated 04.11.2008 granting a sum of Rs.59,560/- towards compensation as against Rs.1,00,000/- claimed under Section 168 of the Motor Vehicles Act, 1988 read with Rule 471 of the A.P.Motor Vehicles Rules, 1989 (for short, 'the Act').

The Tribunal after examining PWs.1 to 3 and marking exhibits P1 to P9 on behalf of petitioner and on examining RW1 on behalf of respondent, but no documentary evidence was placed by the respondents, the Tribunal awarded compensation of Rs.59,560/- with interest @ 7.5% p.a. from the date of filing of petition till the date of deposit.

Having regard to the facts and circumstances of the case, on the strength of the evidence of PWs.2 and 3 and the medical evidence, and since the claimant is a government employee and he is entitled for reimbursement, the Tribunal has considered the same and awarded compensation of Rs.30,000/- towards pain and suffering from three fracture injuries i.e. fracture head of the proximal phalanx of left big toe, fracture base of the proximal phalanx of 3rd toe and fracture head

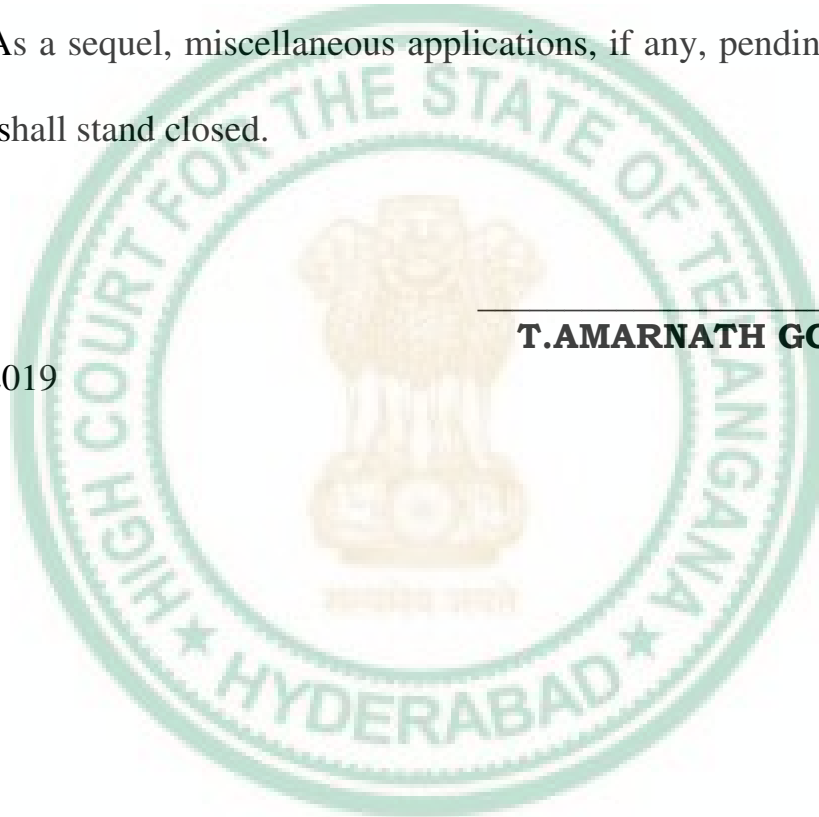
of the proximal phalanx of 5th toe. Further, the Tribunal has awarded a sum of Rs.13,560/- towards medical expenses and treatment charges and a sum of Rs.16,000/- towards loss of earnings for two months, totaling to Rs.59,560/-.

Hence, the amount awarded by the Tribunal is just and fair compensation and accordingly the same is confirmed and the appeal is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous applications, if any, pending in this appeal shall stand closed.

23.12.2019
tk.

T.AMARNATH GOUD, J



THE HON'BLE SRI JUSTICE T.AMARNATH GOUD



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