

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1171 OF 2006

JUDGMENT:

Appellant-claimant filed this appeal against the order and decree dated 16.12.2005 in O.P.No.644 of 2001 on the file of Court of the Chairman, Motor Accidents Claims Tribunal-cum-II Additional District Judge, Nizamabad (for short, 'the Tribunal'), whereby the Tribunal granted an amount of Rs.28,000/- 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 a motor vehicle accident occurred on 11.12.2000.

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.Radhive Reddy, learned counsel for the appellant would submit that the Tribunal erroneously granted meager compensation for the injuries sustained by the appellant and sought to enhance the same.

4. Sri R.Venkat Rao, learned Standing Counsel for the 2nd respondent insurance company would submit that the Tribunal passed a well reasoned order by appreciating the evidence adduced before it and sought to dismiss the appeal.

5. To prove that the appellant has sustained fracture injuries, he examined P.W.2, the Doctor who treated him and opined that the appellant sustained fracture of both bones of right fore-arm and superficial abrasion on right hand measuring 2 x 4 inches, for which

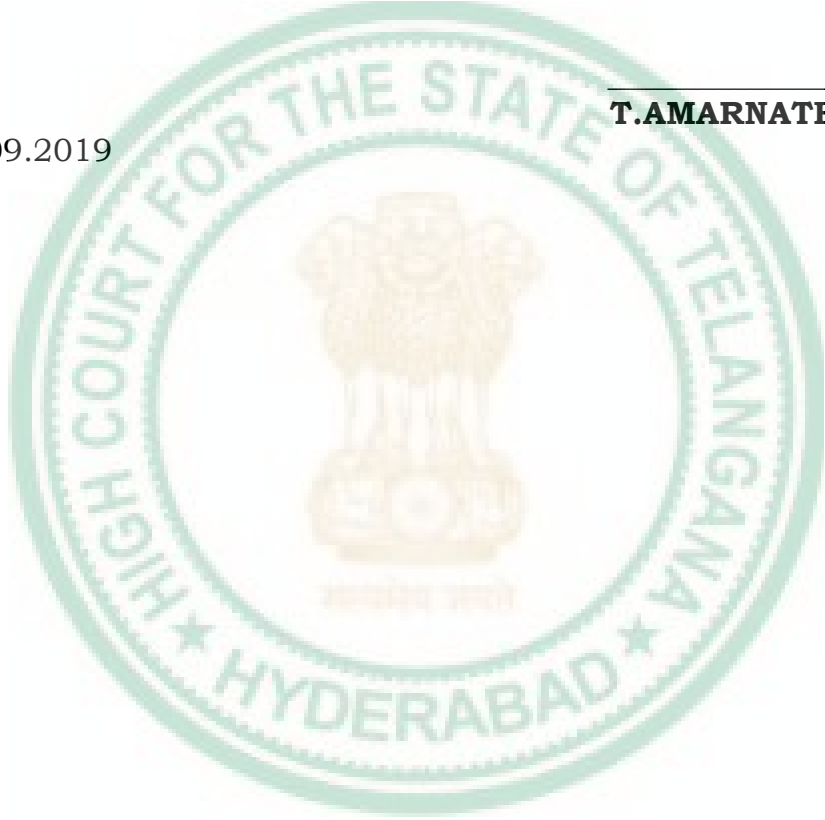
operation was conducted and rods were inserted. The Tribunal, by impugned order granted total compensation of Rs.28,000/-, which is very meagre in the considered opinion of this Court. Therefore, this Court is enhanced the said amount to Rs.43,000/-.

6. In the result, the Motor Accident Civil Miscellaneous Appeal is partly allowed enhancing the compensation amount awarded by the Tribunal from Rs.28,000/- to Rs.43,000/-. The enhanced amount shall carry interest @ 7.5% per annum. Miscellaneous petitions pending, if any, shall stand closed. No costs.

Date: 25.09.2019

YVL

T.AMARNATH GOUD, J



THE HON'BLE SRI JUSTICE T.AMARNATH GOUD



M.A.C.M.A. No.1171 OF 2006

Date:25.09.2019

yvl