

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1314 OF 2006

JUDGMENT:

Appellant-claimant filed this appeal against the Order and Decree dated 19.12.2005 in O.P.No.622 of 2000 on the file of the Motor Accident Claims Tribunal {(II Additional District Judge (Fast Track Court)}, Nizamabad (for short, the Tribunal), whereunder the Tribunal granted an amount of Rs.25,000/- towards compensation along with interest @ 7.5% per annum as against the claim of Rs.1,50,000/- on account of the injuries sustained by the appellant in the motor vehicle accident occurred on 28.08.1999.

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

3. Sri K.Sarala Mahender, 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. Despite service of notice on the respondents, there is no representation on their behalf. Hence, this Court is inclined to dispose of the matter on merits basing on the material available on record.

5. By considering Ex.A.3-wound certificate, Ex.A.5-X-ray film and Ex.A.7-case sheet, the Tribunal came to the conclusion that the appellant sustained one blunt injury on chest right and fracture of clavicle right and awarded Rs.15,000/- towards injuries, Rs.5,000/- towards pain and suffering and Rs.5,000/- towards medicine and treatment expenditure, which in the opinion of this Court, are just and reasonable. Hence, I see no grounds to interfere with the order of the Tribunal.

6. In the result, the Motor Accidents Civil Miscellaneous Appeal is dismissed confirming the order of the Tribunal dated 19.12.2005 in OP.No.622 of 2000. Miscellaneous petitions pending, if any, shall stand closed. No order as to costs.

Date: 29-10-2019
TJMR

T.AMARNATH GOUD, J