

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

MACMA NO. 824 OF 2012

JUDGMENT:

This appeal is directed against the award, dated 09.03.2007, passed by the Motor Accidents Claims Tribunal, Khammam (for short 'the Tribunal), in M.A.T.O.P.No.87 of 2004 whereby the Tribunal awarded compensation of Rs.22,000/- on account of the injuries sustained by the injured in a motor vehicle accident that occurred on 09.11.2003.

2. For the sake of convenience, the parties herein are referred to as arrayed in the Court below.

3. Being dissatisfied with the quantum of Award passed by the Tribunal, the claimant, who is the father of the injured/minor filed this appeal seeking enhancement of compensation.

4. The brief facts of the case are hereunder:

On 09.11.2013 at about 9.00 A.M., while the injured was going to his house along with his friends and when they reached near Raghu Fabrics on National High Way No.9, between Chillakallu and Gowaravaram Village, one lorry bearing No.AP 16 U 1107 driven by Battula Veerla Venkayya dashed him from rear side, as a result of which he sustained injuries.

5. Admittedly there are grievous injuries and simple injury. The grievous injury including compound fracture to both bones of right leg. In view of the same, he was admitted as inpatient in the hospital for a period of 15 days and POP bandage was applied to his leg on 19.11.2003 and the same was removed on 08.01.2004. The patient was under observation and medical care. Thereafter also, the doctor advised him to take treatment for a period of four months.

6. In view of the above, this Court feels it just and necessary that awarding of Rs.22,000/- by the Tribunal is meager and needs to be enhanced. Accordingly, the petitioner is entitled to Rs.30,000/- towards fracture injury, Rs.3,000/- towards simple injury, Rs.1,500/- towards attendant charges, Rs.2,500/- towards extra nourishment, Rs.3,000/- towards loss of income and Rs.10,000/- towards medical expenses. In all, the petitioner is entitled to an amount of Rs.50,000/-. The award of the Tribunal holds good in all aspects.

7. Accordingly, the appeal is allowed in part enhancing the compensation awarded to the petitioner from Rs.22,000/- to Rs.55,000/-.

Miscellaneous petitions pending, if any, shall stand closed.

T.AMARNATH GOUD,J

Date: 19.07.2019
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