

**HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY TWO**

**PRESENT
THE HONOURABLE JUSTICE G. SRI DEVI**

M.A.C.M.A. NO: 3543 OF 2008

Between:

1. Payam Chukkamma, W/o Veeraswamy Agricultural Labourer R/o Kothajinnalagudem Village, H/o Jagannadhapuram, Mulakalapally Mandal, Khammam District.
2. Payam Nageswara Rao, S/o Veeraswamy Agricultural Labourer R/o Kothajinnalagudem Village, H/o Jagannadhapuram, Mulakalapally Mandal, Khammam District.

...APPELLANTS/ CLALIM PETITIONERS

AND

1. K.Venkanna, S/o Bhadraiah, age: major Owner of Lorry bearing No. AP 16 U 148 R/o Nellipaka Bazar Mondikunta Village, Awapuram Mandal, Khammam District.
2. M/s United India Insurance Company Limited, Rep. by its Divisional Manager, Divisional Officer, Kothagudem, vide policy No.69508/1999 and vide its Cover Note No.358846, valid from 24/02/2001 to 23/02/2002.

...RESPONDENTS/ RESPONDENTS

Appeal under Section 173 of Motor Vehicles Act, against the Judgment/ order and decree made in MVOP No.1316 of 2002 dated 09/05/06 on the file of the Court of the Chairman, Motor Accidents Claims Tribunal –cum- Additional District Judge, at Khammam.

ORDER: This appeal coming on for hearing, and upon perusing the grounds of appeal, the Judgment and decree of the Lower Court and the material papers in the suit and upon hearing the arguments of Sri Cheedella Venkat Raman, Advocate for the Appellants and of Sri V.Srinivasa Rao, Advocate for the Respondent No.2 and of the Respondent No.1 not appeared either in person or by Advocate.

This Court doth Order and decree as follows :-

1. That the MACMA be and hereby is allowed.
2. That the compensation amount awarded by the Tribunal be and hereby is enhanced from Rs.92,000/- to Rs.5,15,828/- (Rupees five lakhs fifteen thousand eight hundred and twenty eight only)
3. That the enhanced amount i.e.Rs.4,23,828/- (Rupees four lakhs twenty three thousand eight hundred and twenty eight only) shall carry the interest at 7.5% p.a. from the date of order passed by the Tribunal till date of realization, the payable by the respondents jointly and severally.
4. That the amount of compensation shall be apportioned among the appellants –claimants till the ratio as ordered by the Tribunal.

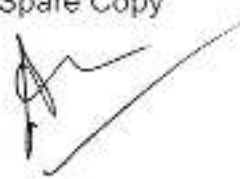
5. That the claimant shall pay deficit court fee on enhanced compensation since the initiated claim was Rs.2,25,000/-
6. that the deficit court fee is not paid as per rule 475 of M.V.Rules before the Tribunal the claimants are not entitled for execution of award in respect of enhanced compensation.
7. That save as aforesaid, the rest of the trial remain unchanged
8. That there be no order as to costs.

Sd/-T.JAYASREE
ASSISTANT REGISTRAR

SECTION OFFICER

//TRUE COPY//

To

1. The Chairman, Motor Accidents Claims Tribunal -cum- Additional District Judge, at Khammam.
 2. Two CD Copies
 3. One Spare Copy
- Kj.
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HIGH COURT

DATED:16/03/2022

DECREE

MACMA.No.3543 of 2008

ALLOWING THE MACMA WITHOUT COSTS.

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REMA
04/8/2022