HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

TUESDAY, THE TWENTY SECOND DAY OF APRIL TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE P.SREE SUDHA

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 42 OF 2011

Appeal filed under Section 173 of M.V.Act against the judgment and decree dated 01-12-2010 in M.V.O.P.No. 474 of 2006 on the file of the Court of the Chairman Motor Accident Claims Tribunal –cum- IV Additional District (II FTC) Nalgonda.

Between:

1. Gundepudi Ramulu, S/o.Bixamaiah Lorry Cleaner R/o.Raingudem Village, Thiparthy Mandal, Nalgonda District.

...Appellant/Claimant

AND

1. D.Sanjeeva Reddy, S/o.Gopal Reddy, Aged Major Business, Owner of Lorry Bearing No.AP 24 U 8299 C/o.M/s.Ssri Balaji Lorry Supply Office, BEside Lorry Owners Associations, Huzarnagar Village and Mandal,
2. The New India Assurance Co Ltd, Vide Police No.62070031/04/06629 O/o.Sudarshan Complex, Patamata, Vijayawada.

...Respondents/Respondents

Counsel for the Appellant: SRI. P S P SURESH KUMAR

Counsel for the Respondent No.1: None Appeared

Counsel for the RespondentNo.2: R K SURI

The Court made the following: JUDGEMENT

THE HONOURABLE SMT. JUSTICE P.SREE SUDHA

M.A.C.M.A.No.42 of 2011

JUDGMENT:

This appeal is filed against the Order dated 01.12.2010 in O.P.No.474 of 2006 passed by the Chairman, Motor Accidents Claims Tribunal (IV Additional District Judge, II F.T.C.) at Nalgonda.

2. The appellant/petitioner filed O.P.No.474 of 2006, claiming compensation of Rs.1,00,000/- for injuries sustained by the petitioner in the road traffic accident occurred on 23.06.2005.

3. Learned counsel for appellant/petitioner stated that on behalf of the petitioner, P.W.1 was examined and Exs.A1 to A4 were marked. Ex.B1 was marked on behalf of respondents.

4. The Trial Court considering the oral and documentary evidence granted Rs.25,000/- with interest @ 7.5% per annum from the date of petition to till the date of deposit. Challenging the quantum of compensation as meagre, the petitioner has filed the present appeal.

5. Heard learned counsel for appellant. No representation for respondents. Perused the record.

6. As per Ex.A2, report of Medical Officer, petitioner sustained contusion over right thigh, laceration over right left tibia area, laceration over right ankle, laceration over left calcaheurn. Petitioner did not examine any Medial Officer.

7. Considering the nature of injuries, this Court finds it reasonable to grant Rs.22,000/- towards injuries, Rs.10,000/- towards pain and suffering, Rs.10,000/- towards loss of amenities, Rs.5,000/- towards extra nourishment, Rs.5,000/- towards transportation and Rs.5,000/- towards attendant charges, Rs.10,000/- towards medical expenses and Rs.10,000/- towards loss of earnings.

8. Therefore, the appellant/petitioner is entitled for the compensation in the following terms:

1.	Injuries	Rs.22,000/-
2.	Pain and Suffering	Rs.10,000/-
3.	Loss of Amenities	Rs.10,000/-
4.	Transportation	Rs.5,000/-
5.	Extra nourishment	Rs.5,000/-
6.	Attendant charges	Rs.5,000/-
7.	Loss of earnings	Rs.10,000/-
8.	Medical expenses	Rs.10,000/-
TOTAL		**Rs.77,000/-**

9. In the result, the appeal is partly allowed by enhancing the compensation amount from Rs.25,000/- to Rs.77,000/- (Rupees Seventy Seven Thousand only) with interest at the rate of 7.5% per annum from the date of filing the petition till date of realization. Respondent No.2 shall deposit the entire amount within a period of one month from the date of receipt of a copy of this order. On such Deposit, the petitioner is permitted to withdraw the total amount along with interest accrued on it. There shall be no order as to costs.

Miscellaneous petitions pending, if any, shall stand closed.

SD/- A.V.S. PRASAD
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman Motor Accident Claims Tribunal –cum- IV Additional District (II FTC) Nalgonda.
2. One CC to SRI. P S P SURESH KUMAR, Advocate [OPUC]
3. One CC to SRI. R K SURI Advocate, [OPUC]
4. Two CD Copies

GK

HIGH COURT

DATED:22/04/2025



JUDGEMENT

MACMA.No.42 of 2011

PARTLY ALLOWING OF THE MACMA

WITHOUT COSTS

6

S.B.

7/8/25

HIGH COURT FOR THE STATE OF TELANGANA AT HYDERABAD

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...Respondents/Respondents

Appeal filed under Section 173 of M.V.Act against the judgment and decree dated 01-12-2010 in M.V.O.P.No. 474 of 2006 on the file of the Court of the Chairman Motor Accident Claims Tribunal –cum- IV Additional District (II FTC) Nalgonda.

ORDER: This appeal coming on for hearing and upon perusing the grounds of appeal, the Judgment and Decree of the Court below and the material papers in the MVOP and upon hearing the arguments of Sri P.S.P. Suresh kumar, Advocate for the appellant and of Sri R.K. Suri, Counsel for the Respondent No.2.

This Court doth Order and Decree as follows:

1. That the MACMA appeal be and hereby is partly allowed by Enhancing the Compensation amount from RS. 25,000/- to RS. 77,000 (Rupees Seventy seven thousand only) with interest @7.5% P.a. from the date of filing the petition till the date of realization
2. That the Respondent No.2 Shall deposit the Entire amount within a period of one month from the date of receipt of a copy of this order

3. That on such deposit, the petitioner is be and here by permitted to withdraw the total amount along with interest accrued on it.
4. That save as aforesaid the decree of the Tribunal shall stands confirmed in all other respects; and
5. That there shall be no order as to costs in this appeal.

SD/- A.V.S. PRASAD
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman Motor Accident Claims Tribunal –cum- IV Additional District (II FTC) Nalgonda.
2. Two CD Copies

GK

HIGH COURT

DATED:22/04/2025

DECREE

MACMA.No.42 of 2011

PARTLY ALLOWING OF THE MACMA WITHOUT COSTS

4
S.D.
7/8/25