APHC010149702009

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI **[3396]**
(Special Original Jurisdiction)

THURSDAY, THE 19th DAY OF NOVEMBER 2026

PRESENT

THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 2648/2009

Between:

SHAIK ABDUL KALEEM, S/O ABDUL KHASIM TWO WHEELER MECHANIC R/O D.NO.11/408, MANDI MADHAR SAB STREET, KADAPA.

...APPELLANT

AND

APSRTC REP BY MD MUSHEERABAD HYDERABAD, REP. BY ITS OWNER MANAGING DIRECTOR, A.P.S.R.T.C. BUS NO. AEZ 2754, CUDDAPAH DEPOT, MANAGING DIRECTOR, APSRTC MUSHEERABAD.

...RESPONDENT

Counsel for the Appellant:

1. D KODANDARAMI REDDY

Counsel for the Respondent:

1. ARAVALA RAMA RAO(SC FOR APSRTC KKAC)

The Court made the following:

JUDGMENT:

1. The instant appeal is preferred under Section 173 of the Motor Vehicles Act, 1988 (for short “M.V.Act”) by the Appellant - Claimant against the Order and Decree dated 24.03.2004 passed by the Chairman, Motor Accidents Claims Tribunal-cum- District Judge, Kadapa (for short “the Tribunal”), in M.V.O.P.No.658 of 2000 granting compensation of Rs.2,500/- with

proportionate costs and interest @ 9% per annum from the date of petition till realization against Respondent - APSRTC.

2. For the sake of convenience, the parties are hereinafter referred to as they are arrayed before the Tribunal.

3. The case of the Petitioner / Claimant, in brief, is as follows:

(i) On 15.07.1998 while the Petitioner was riding a scooter and when he reached Devuni – Kadapa main road, at about 4.30 p.m., an APSRTC bus bearing No.AEZ 2754 (hereinafter referred to as “the crime bus”) being driven by its driver in a rash and negligent manner, hit the scooter of the Petitioner, due to which, he received grievous injuries.

(ii) As such, the Petitioner filed a petition claiming compensation of Rs.50,000/- from Respondent – APSRTC in view of the injuries sustained by him in the said accident.

(iii) On appreciation of the evidence on record, the learned Tribunal awarded compensation of Rs.2,500/- to the Petitioner.

(iv) Having dissatisfied with the quantum of compensation, the Petitioner preferred the present appeal seeking enhancement of the compensation.

4. Heard Sri D.Kodandarami Reddy, learned counsel for the Appellant / Petitioner and Sri Aravala Ramarao, learned counsel for Respondent - APSRTC.

5. Considered the submissions, perused the contentions raised before the Tribunal and assessed the entire evidence including the exhibited documents available on record.

6. The point that arises for consideration is:

Whether the Claimant is entitled to enhancement of compensation, and if so, to what amount?

POINT:

7. There is no dispute with regard to the factum of the accident that had taken place due to the rash and negligent driving of the driver of the crime bus and sustenance of injuries by the Petitioner in the said accident.

8. As per Ex.A.2 – Wound Certificate placed on record, the Appellant / Petitioner suffered three simple injuries. The Wound Certificate would further show that, after X-ray, no fracture was found. Nothing is placed on record to show that the Petitioner suffered any grievous injury. In the light of the nature of the injuries sustained by the Petitioner, it is apposite to award an amount of Rs.5,000/- each for the three simple injuries i.e., in total Rs.15,000/-.

9. Therefore, in view of the foregoing discussion, this court is of the opinion that the award passed by the Tribunal warrants interference by enhancing the compensation from Rs.2,500/- to Rs.15,000/-.

10. Accordingly, the MACMA is partly allowed with proportionate costs enhancing the compensation from Rs.2,500/- to Rs.15,000/-. The enhanced compensation shall carry interest at the rate of 7.5% per annum from the date of petition till the date of realization.

(ii) Respondent – APSRTC shall deposit the enhanced compensation amount together with accrued interest within a period of eight (08) weeks from the date of receipt of a copy of this judgment.

(iii) Upon such deposit, the claimant is entitled to withdraw the entire compensation amount along with accrued interest and costs.

(iv) The Tribunal shall take necessary steps for disbursement of the amount in accordance with law, adjusting the amount, if any, already paid.

Miscellaneous petitions pending if any, stand closed.

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Dr.JUSTICE VENKATA JYOTHIRMAI PRATAPA

Date:19.11.2026
Dinesh

THE HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

M.A.C.M.A.No.2648 of 2009

DATE: 19.11.2026

Dinesh