

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2016

BEFORE

THE HON'BLE MRS. JUSTICE S.SUJATHA

M.F.A.No.4648/2015 (MV)

BETWEEN:

JAYAMMA
W/O CHIDANANDA REDDY,
AGED ABOUT 51 YEARS,
R/O NO.320, IUDP LAYOUT,
CHITRADURGA TOWN-577 501.

... APPELLANT

(BY SRI.B.PRAMOD, ADVOCATE)

AND:

1. THE MANAGER
KSRTC, HAVERI DIVISION,
OWNER OF BUS BEARING
REG. NO.KA 27 F-529
HAVERI-581110.
2. THE CHAIRMAN,
INTERNAL SECURITY FUND
KARNATAKA STATE ROAD TRANSPORT
CORPORATION, K H ROAD,
BENGALURU-560 027.
3. THE DEPOT MANAGER,
CHITRADURGA DEPOT,
KSRTC, OPP. UNION BANK OF INDIAN,
CHITRADURGA-577501

... RESPONDENTS

(BY SRI.K.NAGARAJA, ADVOCATE)

THIS MFA UNDER SECTION 173(1) OF MV ACT
AGAINST THE JUDGMENT AND AWARD DATED 24.04.2015
PASSED IN MVC NO.525/2014 ON THE FILE OF THE II

ADDITIONAL SENIOR CIVIL JUDGE, ADDITIONAL MACT-5,
CHITRADURGA, PARTLY ALLOWING THE CLAIM PETITION
FOR COMPENSATION AND SEEKING ENHANCEMENT OF
COMPENSATION.

THIS MFA COMING ON FOR ADMISSION THIS DAY,
THIS COURT DELIVERED THE FOLLOWING:

JUDGMENT

This appeal is directed against the Judgment and Award passed by the Motor Accident Claims Tribunal, Bangalore [the 'Tribunal', for short] in MVC No.525/2014.

2. Briefly stated the facts are:

That the claimant filed the claim petition before the tribunal seeking compensation for the simple accidental injuries sustained by him in the road traffic accident, as under:

a. Cut wound over the frontal region measuring

5 x 3 cms.

b. Abrasion over the right knee joint.

c. Lacerated wound over the left ankle.

3. No doctor was examined to establish the factum of disability sustained by the claimant. Considering the nature and gravity of the injuries sustained by the

appellant and the treatment period, the tribunal awarded compensation of Rs.43,800/- globally with interest at 7.5% p.a. from the date of the petition till the date of the realization, which is just and reasonable and the same cannot be found fault with.

4. It is also pertinent to note that in the appeal filed by the Corporation in MFA.No.7564/2015, this Court has dismissed the appeal confirming the compensation awarded by the tribunal as just and reasonable. Accordingly, no ground is made out by the appellant to interfere with the well reasoned order and the appeal is dismissed as devoid of merits.

**Sd/-
JUDGE**

nvj