
(2001) 11 AHC CK 0128
In the Allahabad High Court

United India Insurance Company Limited	APPELLANT
Vs	
Alwar Singh and Another	RESPONDENT

Date of Decision : 07-11-2001

Acts Referred:

Citation : (2002) 1 ACC 615

Hon'ble Judges : V.M. Sahai, J;Sudhir Narain, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Sudhir Narain, J.—This appeal is directed against the award of the Motor Accident Claims Tribunal dated 9.5.2001 awarding Rs. 2,07,000/- as compensation to the claimant-respondents.

2. The claim petition was filed by the claimant-respondent No. 1 with the allegations that on 10th March, 1998, while he was going on cycle, Truck No. P.B/ 3341 dashed against him. He received serious injuries. He was treated in the hospital where his brain was operated upon. He incurred heavy expenses in treatment.

3. The appellant contested the claim petition on various grounds. The Tribunal recorded a finding that the accident was caused due to rash and negligent driving of the driver of the truck with the result respondent No. 1 received serious injuries and his brain was operated upon. The Tribunal, on consideration of material evidence on the record, awarded Rs. 2,07,.000/- as compensation. The appellant has challenged this order in the present appeal.

4. We have heard Mr. Amaresh Sinha, learned Counsel for the appellant.

5. Learned Counsel for the appellant submitted that the amount of award is excessive. The Tribunal has found that the claimant had received brain injuries and incurred heavy expenses in treatment. Considering the facts and circumstances we are of the opinion that the amount awarded by the Tribunal

does not suffer from any illegality.

6. The appeal is accordingly dismissed.

7. Rs. 25,000/- deposited by the appellant in this Court, shall be remitted by the Registry of this Court to the Motor Accident Claims Tribunal concerned within one month for payment/adjustment of the amount payable by the appellant to the claimant-respondents.