

Tukaram Vs. Ramsingh and ors.

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Court : Madhya Pradesh

Decided On : Jul-19-2000

Reported in : II(2002)ACC244

Judge : A.M. Sapre, J.

Appellant : Tukaram

Respondent : Ramsingh and ors.

Judgement :

ORDER

A.M. Sapre, J.

1. Claimant is dissatisfied with what is awarded to him by the learned Member of Tribunal for the injuries that he sustained in an accident that occurred on 30.12.1997 with an offending vehicle. In all, he was awarded Rs. 8,500/-. He wants more. The impugned award is dated 14.1.2000, passed by learned Member, M.A.C.T., Kukshi in claim case No. 38/98.

2. Having heard the Counsel for appellant and having perused the impugned award and in particular para 17, I do not find any case for upturning the finding so recorded by the Tribunal while declining to grant more compensation. In the opinion of Tribunal, the evidence of Dr. Gupta (AW 2) does not show any disability that may have occurred to claimant as a result of injury. In order to claim

compensation it is necessary to show percentage of disability suffered by the claimant. When claimant examined the doctor to prove the nature of injury in his leg, it was equally necessary for him to have proved percentage of disability. This not having been proved, the Tribunal was justified in confining the award for Rs. 8,500/-.

3. No good ground having been noticed to admit the appeal, it is found to be devoid of substance and hence dismissed in limine.

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