

Kerala High Court

Director Of Agriculture vs P.V.Jose on 15 October, 2007

IN THE HIGH COURT OF KERALA AT ERNAKULAM

MFA No. 295 of 2001(B)

1. DIRECTOR OF AGRICULTURE, TRIVANDRUM
... Petitioner

Vs

1. P.V.JOSE
... Respondent

For Petitioner :GOVERNMENT PLEADER

For Respondent :SRI.P.K.BALAKRISHNAN NAIR

The Hon'ble MR. Justice K.S.RADHAKRISHNAN
The Hon'ble MR. Justice A.K.BASHEER

Dated :15/10/2007

O R D E R

K.S.RADHAKRISHNAN & A.K. BASHEER, JJ

M.F.A.295/2001

Dated this the 15th day of October, 2007

JUDGMENT

Radhakrishnan, J Appeal has been preferred by the first respondent in O.P.(MV)453/1995, to set aside the award passed by the Tribunal. Accident not disputed, but the quantum of compensation awarded by the Tribunal is under challenge.

2. Ext.A7 dated 31.7.1996 is the disability certificate issued from Medical College Hospital, Kottayam, which shows that the claimant has 4% permanent disability. Ext.A7 certificate was not challenged. In such circumstances, Tribunal accepted the certificate as such and an award of Rs.34,750/- is fixed as compensation. We have gone through the records and examined the mode of fixation of the amount. we find no infirmity in the award passed by the Tribunal. In the absence of any contra evidence, this appeal lacks merit and the same is dismissed.

K.S.RADHAKRISHNAN Judge A.K. BASHEER Judge mrcs