

Court No. - 2

Case :- FIRST APPEAL FROM ORDER No. - 999 of 2006

Appellant :- The United India Insurance Co. Ltd.

Respondent :- Smt. Savita And Others

Counsel for Appellant :- Nagendra Kumar Srivastava

Counsel for Respondent :- R.C. Singh, Kamlesh Singh

Hon'ble Saral Srivastava, J.

Heard learned counsel for the appellant and learned counsel for the respondents.

The present appeal has been filed by the appellant against the award dated 24.12.2005 passed by Motor Accident Claims Tribunal/Additional District & Sessions Judge, Court No.5, Gorakhpur in M.A.C.P. No.405 of 2001.

It is informed by the learned counsel for the appellant that several F.A.F.O. arising out of the same accident, leading of which is F.A.F.O. No.1003 of 2006 have been dismissed by this Court vide order dated 11.09.2018, copy of which has been produced and the same is taken on record. Accordingly, it is submitted that as the controversy in hand is covered by the judgement of this Court passed in F.A.F.O. No.1003 of 2006, therefore, the present appeal may also be decided in terms of the order passed in the said F.A.F.O. No.1003 of 2006.

Since, the F.A.F.O. No.1003 of 2006 and other connected F.A.F.O. arising out of the same accident has been dismissed by this Court by the judgement dated 11.09.2018, which fact is not disputed by the learned counsel for the respondents, therefore, the present F.A.F.O. is also dismissed in terms of the judgement passed in F.A.F.O. No.1003 of 2006.

Order Date :- 1.11.2023

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