

Court No. - 7

Case :- FIRST APPEAL FROM ORDER No. - 984 of 2023

Appellant :- Arshad Khan

Respondent :- Reetendra Katiyar And Another

Counsel for Appellant :- Arimardan Yadav, Jadu Nandan Yadav

Hon'ble Dr. Yogendra Kumar Srivastava, J.

It is pointed out that the Stamp Reporter has submitted a report that the instant appeal is not maintainable in view of the provisions of sub-section (2) of Section 173 of the Motor Vehicles Act, 1988, as amended by Act No. 32 of 2019, whereunder it is provided that no appeal shall lie against any award of a Claims Tribunal if the amount in dispute in the appeal is less than one lakh rupees.

It is pointed out that in the instant case the award of the Claims Tribunal which is sought to be challenged is for an amount of Rs. 67,766/-.

Having regard to the aforesaid, Sri Jadu Nandan Yadav, counsel for the appellant does not dispute that the appeal would not lie in view of sub-section (2) of Section 173 of the Motor Vehicles Act, 1988.

Counsel for the appellant accordingly states that the appellant does not wish to press the appeal and that he would avail the appropriate legal remedy, as he may be advised.

Appeal stands dismissed accordingly.

Office to return certified copy of the order passed by the Tribunal. The amount which has been deposited by way of statutory deposit be also refunded to the appellant upon an application being filed and after due verification.

Order Date :- 9.11.2023

Sachdeva

(Dr. Y. K. Srivastava, J.)