

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

MACMANo.1978 of 2005

Date: 08-12-2015

Between:

United India Insurance Company Limited,
Represented by its Branch Manager, Madanapalli

.... Appellant

AND

Shaik Mahaboob Basha and another

.... Respondents

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

MACMANo.1978 of 2005

ORDER:

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This appeal is preferred by the Insurance Company challenging the award of compensation in O.P.No.38 of 2003 on the file of Motor Accident Claims Tribunal-cum-VII Additional District Judge, Madanapalle.

The claim was made by the injured claiming a compensation of Rs.1,00,000/- for the injuries sustained by him in a motor accident that occurred on 08-11-2001 at about 2.00 P.M. when he went to Kalikiri on oral instructions of his shop owner for collecting dues and purchase of some provisions at Kalikiri. The Tribunal by its award dated 22-11-2004 awarded an amount of Rs.34,000/- along with interest at 9% p.a. from the date of petition till the date of deposit. The owner of the vehicle and the insurance company were jointly and severally made liable to pay the said amount.

The only point raised in the present appeal is with regard to the liability of the insurance company under Ex.B.1 policy. The accident occurred when the injured was an inmate of jeep bearing No.PY-01-F-3201 due to rash and negligent driving of the driver of the jeep. A perusal of Ex.B.1 policy shows that it is a comprehensive policy (private car package policy) and in view of the same, a comprehensive premium of Rs.2707/- was paid. In view of the circular issued by the IRDA, such type of policies covered the inmates of the passenger vehicles also.

In that view of the matter, the appeal fails and is accordingly dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 08-12-2015

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