

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No.3601 of 2015

Date: 23-12-2015

Between:

Pothana Raja Kumar @ Chippa Rajakumari

And another

.. Petitioners

AND

K. Nalinsri and 5 others

.. Respondents

HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

Civil Revision Petition No.3601 of 2015

ORDER:

-

The petitioners are the original claimants in O.P.No.20 of 2014 on the file of Motor Accident Claims Tribunal-cum-III Additional District Judge, Warangal. They filed the claim petition claiming compensation for the death of Pothana Mallikarjuna Sai @ Babanna in a motor accident that occurred on 08-03-2012. The 3rd respondent in the O.P. was his mother. She died during the pendency of the proceedings before the Tribunal. In those circumstances, the daughters, who are none other than the sisters of the deceased Mallikarjuna Sai, filed I.A.No.40 of 2015 seeking impleadment as respondents 4 to 6 in the place of the deceased 3rd respondent in O.P.No.20 of 2014 and that application is allowed by order dated 16-12-2015. Against the said order, the present civil

revision petition is filed.

The apprehension of the learned counsel for the petitioners herein is that by virtue of ordering impleadment of the respondents 1 to 3 herein as legal representatives of the deceased 3rd respondent, the share of the 3rd respondent would be paid to the respondents 1 to 3 herein. The apprehension of the counsel for the petitioners is not correct. The petition to bring the legal representatives on record would be allowed only for the purpose of continuation of the proceedings. It is for the Tribunal to decide with regard to the entitlement of the original 3rd respondent and the entitlement of respondents 1 to 3 herein for her share. It is always open to the petitioners herein to contest the claim of the respondents 1 to 3 at the time of determining the compensation.

With the above observation, the Civil Revision Petition is dismissed. No costs. As a sequel thereto, miscellaneous petitions, if any, pending shall stand closed.

A. RAMALINGESWARA RAO, J

Date: 23-12-2015

Ksn