

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

C.M.A. No.390 of 2001

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JUDGMENT:

This appeal is preferred by the claimants seeking enhancement of compensation, awarded in O.P. No.291 of 1985 on the file of the Motor Accidents Claims Tribunal-cum- District Judge, Nizamabad (for short, 'the Tribunal').

The accident in this case occurred on 16.08.1985 and the award was passed awarding an amount of Rs.35,928/- with interest @ 6% per annum. The claim petition itself was filed for an amount of Rs.1,00,000/-. However, after filing the appeal appellant No.1, who is the mother of deceased, expired and the counsel, who appeared for the appellants, also expired. Notice sent to appellant No.2 was returned unserved with a postal endorsement that she was not in village. She was the wife of deceased. No steps were taken for filing L.R. petition, and in the meanwhile, the appeal against respondent No.2 was also dismissed. No application for substitute service was filed.

Taking into account all the above circumstances, this appeal is dismissed for non-prosecution. No order as to costs.

Miscellaneous Petitions, if any, pending shall stand closed.

A.RAMALINGESWARA RAO, J

03.02.2016

MVA

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