

HONOURABLE Dr. JUSTICE B.SIVA SANKARA RAO

MACMA No.598 OF 2005

JUDGMENT:

Heard.

In fact, the three claim petitions viz; MVOP Nos. 164 and 468 of 2003 and 171 of 2004 are disposed of by common award dated 02.12.2004 by the learned Chairman, Motor Accidents Claims Tribunal–cum-Principal District Judge) Warangal,(for short, 'Tribunal'), and the present appeal is against one of the claim petitions vide M.V.O.P.No.464 of 2003. It appears from the submission of the learned counsel for the appepllant that the appeals maintained respectively against the dismissal order(common order) of the tribunal. The order copy in M.A.C.M.A.No.1000 of 2005 is pertaining to appeal against the O.P.No.468 of 2003 in which the matter was remitted back to the tribunal by the learned Judge of this Court vide orders dated 29.03.2016 by giving opportunity to both sides to adduce evidence calling records from the Government hospital to prove the accident, if not, from the hospital intimation and MLC admission if at all it is on the date of accident.

Having regard to the above, the appeal is allowed and remitted back to the trial Court with a direction to decide the present claim petition (MVOP No.464 of 2003) along with the other two claim petitions(MVOP Nos.468 of 2003 and 171 of 2004) either simultaneously or commonly, as the case may be. No costs. Consequently, pending miscellaneous petitions, if any, in this appeal, shall stand closed.

Dr. B. SIVA SANKARA RAO, J

Date:15.07.2016

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