

THE HON'BLE SRI JUSTICE A.SHANKAR NARAYANA

MACMA.No.2064 of 2009

JUDGMENT:

The unsuccessful petitioner in M.V.O.P.No.100 of 2000 on the file of the Chairman, Motor Accidents Claims Tribunal - cum - II Additional District Judge, Guntur (for short, 'the Tribunal'), preferred the instant appeal under Section 173 of the Motor Vehicles Act, 1988 (for short, 'the Act') assailing the dismissal order, dated 25.11.2004, passed in the said O.P.

2. Heard Sri B.Parameswar Rao, learned counsel for the appellant-petitioner. Though, service was completed on respondent Nos.1 and 2, the owner and insurer of the lorry bearing registration No.AP 7 T 1854, respectively, none appears for them.

3. Learned counsel for the appellant himself would fairly submit that Ex.B1-policy relates to the vehicle bearing registration No. AP 7 T 1654, but the vehicle involved in the present accident is the lorry bearing registration No. AP 7 T 1854 and, observing so, the Tribunal dismissed the claim petition against both the respondents.

4. When Ex.B1-policy reflects that it was issued relating to the vehicle bearing registration No.AP 7 T 1654, certainly, the appellant, who is an injured, cannot seek fastening liability on

respondent Nos.1 and 2, as the said policy was not issued relating to the vehicle involved in the accident. Therefore, there is no merit in the present appeal.

5. Accordingly, the appeal is dismissed confirming the order and decree under challenge in all respects. There shall be no order as to costs.

6. As a sequel thereto, miscellaneous applications, if any pending in the instant appeal, shall stand closed.

23.09.2016

v v

JUSTICE A.SHANKAR NARAYANA

