

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CIVIL REVISION PETITION No.3693 of 2016

ORDER:

This Civil Revision Petition is filed by the petitioners challenging registration of the claim petition filed by the 1st respondent as O.P.No.74 of 2016 on the file of Motor Accident Claims Tribunal at Nizamabad (for brevity "the Tribunal"), even though O.P.No.30 of 2016 filed by the petitioners on the file of the very same Tribunal is pending consideration.

2. Heard learned counsel for the petitioners and perused the material available on record.

3. Learned counsel for the petitioners would submit that the 1st respondent laid a claim petition, claiming herself to be the wife of the deceased – Akula Narsaiah, though she is not the legally wedded wife, at all, and attempting to get the matter settled before the Lok Adalat. He would further submit that the claim petition filed by the petitioners before the very same Tribunal was registered as O.P.No.30 of 2016 and counters have also been filed by the respondents therein, whereas in O.P.No.74 of 2016 filed by the 1st respondent, it appears that counters have not been filed and both the claim petitions are pending consideration. He further submits that the petitioners, in fact, filed CRP.MP.No.4759 of 2016 in C.R.P.No.3693 of 2016 seeking stay of all further proceedings in O.P.No.74 of 2016.

4. While the revision petitioners filed O.P.No.30 of 2016,

claiming that that they are the legally wedded wife and son of the deceased – Akula Narsaiah, the 1st respondent herein filed a claim petition, which was registered as O.P.No.74 of 2016, claiming herself to be the wife of the deceased – Akula Narsaiah. Thus, rival claimants have approached the Tribunal seeking compensation for the death of the deceased – Akula Narsaiah, who died in a road accident, while working as an employee of A.P. State Road Transport Corporation of Nizamabad Depot.

5. In a situation like this, this Court cannot embark upon a roving enquiry to decide the status of the claim petitioners in the respective O.Ps., which exercise ought to be done by the Tribunal, where the O.Ps., are pending.

6. In that view of the matter, this Civil Revision Petition lacks merit and the same is accordingly dismissed, at the admission stage. However, it is open for the petitioners to take steps for joint trial of both the claim petitions i.e., O.P.No.30 of 2016 filed by the petitioners and O.P.No.74 of 2016 filed by the 1st respondent, or any other course open to them. No order as to costs.

7. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE A. SHANKAR NARAYANA

29.07.2016.

NOTE : Issue C.C. by 01.08.2016.

(B/O)

Msr

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