

THE HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

Civil Miscellaneous Appeal No.2980 OF 2004

JUDGMENT:

The present Appeal arises out of the very same accident in regard to which claim was made by yet another set of claimants in C.M.A. No.2487 of 2004, arising out of O.P. No.610 of 1993, dated 27.01.1999, passed by the Chairman, MACT-cum-Principal District Judge, Nalgonda (for short, 'the Tribunal').

2. The Tribunal while disposing of O.P. No.610 of 1993 in C.M.A. No.2487 of 2004 and also the present O.P. No.611 of 1993 against which order the present Appeal is preferred by the claimants on the ground that the liability was not fixed on the Insurance Company, this Court, by order dated 11.11.2016, in C.M.A. No.2487 of 2004 allowed the claimants' appeal mulcting liability on the Insurance Company also making the respondents 1 and 2 jointly and severally liable to pay the compensation awarded by the Tribunal. In the said case, the Tribunal awarded a sum of Rs.1,00,000/-, that was confirmed by this Court.

3. Since the fact situation is alike, without there being any variation at all, in view of the opinion expressed by a learned Single Judge of this Court in C.M.A. No.2487 of 2004, following the same, the present Civil Miscellaneous Appeal is also allowed fixing the liability on the respondents 1 and 2 to pay compensation of

Rs.16,500/- to the appellants/claimants herein without going into the merits. There shall be no order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the Civil Miscellaneous Appeal shall stand closed.

A. SHANKAR NARAYANA,J

Dt. 03.10.2017
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