

HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

MACMA No.691 of 2006

JUDGMENT ::

This appeal is filed by the Insurance Company against the award passed in OP No.732 of 2001, dated 29-10-2005 by the Chairman, Motor Accidents Claims Tribunal-cum-District Judge, Eluru, West Godavari.

The appellant-insurance company filed this appeal denying its liability to pay the compensation on the ground of violation of policy conditions by the insured-owner of the lorry in question.

A perusal of the docket proceedings, it is seen that the appeal is dismissed as against R-2 and R-3 who are driver and owner of the offending lorry bearing registration no.ATK No.5785, and no steps are taken till date. The matter underwent several adjournments, on 27-07-2017, 08-09-2017, 23-10-2017, 03-11-2017, 13-11-2017 and even today when the matter is taken up for consideration, none appears for the appellant and there is no representation on their behalf.

When appeal is dismissed as against the driver and owner (R-2 and R-3) of the offending lorry in question, no relief can be granted in the appeal. The appeal is liable to be dismissed and it is accordingly dismissed.

Miscellaneous petitions, if any pending shall also stand dismissed. No order as to costs.

A.RAJASHEKER REDDY, J

Dated: 09-03-2018
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