

HON'BLE SMT. JUSTICE T. RAJANI

M.A.C.M.A.No.3386 of 2012

JUDGMENT:

This appeal is preferred impugning the judgment of the District Judge, Khammam, in M.V.O.P.No.241 of 2008, dated 08.12.2008, by the appellant, who is respondent No.2 in the lower Court.

2. The grounds on which the appeal is preferred are that the Court below ought to have noted that in a passenger carrying vehicle the employment of a cleaner does not arise and it ought not to have awarded any compensation to the claimants.

3. Heard both counsel.

4. Learned counsel for the appellant, though contends that there is scope for employing a cleaner in a passenger carrying vehicle, is not in a position to dispute the coverage of the policy, which is for two workmen unless there is concrete evidence, that no cleaner was engaged, is cannot be ruled as such.

5. Coming to the contention of counsel for the claimants that no cleaner is supposed to be engaged in a passenger vehicle, it cannot be said that the coverage given by the policy for two workmen would not cover the risk of a cleaner and that the cleaner could not have been engaged on the vehicle. Hence, find no merits in the appeal, this Court inclined to dismiss the appeal.

6. Accordingly, the appeal is dismissed.

Miscellaneous petitions pending, if any, shall stand closed.

T. RAJANI, J

22nd June 2018.

mar



