

THE HON'BLE SRI JUSTICE A.RAJASHEKER REDDY

MA.CMA.NOS.481 AND 729 OF 2005

COMMON JUDGMENT

The appellants herein are the legal representatives of the deceased, who died in the accident that occurred on 2.6.2001, while they were traveling in Maruthi van bearing No.DL 4 CD 5292 from Delhi to Jaipur on excursion in summer vacation. In the said accident, some more persons died and others were injured. The legal representatives of the deceased and the injured in the said accident, filed M.V.O.P.Nos.630, 616, 617, 629, 646, 791, 808, 830 and 860 of 2001. The Motor Accidents Claims Tribunal (District Court), Vizianagaram, by common order dated 23.12.2003 disposed of all the MVOPs. Assailing the orders in MVOP.Nos.629 and 791 of 2001, the present appeals have been filed by the claimants seeks enhancement of compensation.

Learned counsel appearing for both the parties would submit that challenging the common order dated 23.12.2003 in some of the petitions in MVOP.Nos.630, 860, 617 and 830 of 2011, appeals were filed in MACMA.Nos.474, 476, 540 and 732 of 2005 by the claimants seeking enhancement of compensation. By common judgment dated 08.09.2017, this court dismissed the said appeals and subject matter of these appeals is covered by the said judgment. The operative portion of the judgment reads as under:

“7. After analyzing the entire evidence, the Tribunal has arrived just and reasonable compensation in all these appeals and no head is left over to enhance compensation. On perusal of the award and decree in all these appeals, the calculation made by the Tribunal is based on medical evidence. In these

circumstances, there are no justifiable grounds to interfere with the award and decree passed by the Tribunal and there is nothing to take a different view. The findings of the Tribunal is supported by cogent and clinching reasons, therefore, there is nothing to take a different view. The appeals are devoid of merit and the same is accordingly dismissed. There shall be no order as to costs.”

In view of the above judgment of this court dated 08.09.2017 and for the reasons alike, the present appeals are also dismissed.

Miscellaneous petitions pending, if any, shall stand closed. No costs.

A.RAJASHEKER REDDY,J

DATE:01—02—2018

AVS

