

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No. 2548 OF 2006

JUDGMENT:

This appeal is preferred by the appellant/APSRTC questioning the order of the Motor Accidents Claims Tribunal-cum-I Additional Chief Judge, City Civil Courts, Secunderabad (for short, the Tribunal) in M.V.O.P.No.70 of 2004 dated 19.06.2006.

2. The brief facts of the case are that respondent No.1 is the wife, respondent No.2 is the son and respondent Nos.3 and 4 are the parents of the deceased, Hunaid A.Kalangi. On 05.05.2003 at about 10.30 pm., while the deceased was returning to Secunderabad from Siddipet on motorcycle bearing No.AP10Q 8562 along with his friend, and when they reached near EME Bus Stop, near Lal Bazar, RTC bus bearing No.AEZ 5915 came from the same direction from back side in rash and negligent manner and dashed the motorcycle. In the said accident, the motorcycle fell near the divider, the deceased was knocked down by the side of the bus, came under the wheel of the bus and died on the spot. The respondents herein filed the said MVOP against the appellant-RTC seeking compensation of Rs.15,01,000/- for the death of the deceased.

3. In the claim petition, the appellant-RTC filed counter denying the allegations and contended that the amount claimed by the claimants is highly excessive and that it is not liable to pay any compensation and prayed to dismiss the claim petition.

4. After considering the oral and documentary evidence on record, the Tribunal came to the conclusion that the accident occurred due to the rash and negligent driving of the driver of the RTC bus and awarded total compensation of Rs.11,10,661/- under various heads, with interest at the rate of 7.5% per annum. Aggrieved by the said order, the appellant/RTC filed the present appeal.

5. Heard.

6. The Tribunal, basing on the income tax returns of the deceased for the year 2000, took the income of the deceased at Rs.98,000/- per year and awarded the compensation. A perusal of the order reveals that the Tribunal passed a well considered order by taking into consideration all the aspects. Therefore, I see no reason to interfere with the order of the Tribunal and the appeal is liable to be dismissed.

7. Accordingly, the Motor Accident Civil Miscellaneous Appeal is dismissed. Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

T.AMARNATH GOUD, J

Date: 06-11-2019
Shr