

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

MACMA NO. 884 OF 2006

JUDGMENT:

This appeal is directed by the claimant against the order and decree dated 23.12.2005 passed by the XII Additional Chief Judge, FTC, City Civil Court, Hyderabad in O.P.No.769 of 2002, whereby the tribunal dismissed the claim petition against the claim of Rs.2,50,000/- on the ground that the claimant failed to establish that the accident occurred on 21.08.2001 due to rash and negligent driving of the driver of the lorry bearing No.AP 25 T 602.

On 27.04.2016, the appeal was dismissed for default against the 1st respondent – owner of the lorry and thereafter, in spite of giving number of opportunities to the counsel for the appellant to take steps, he expressed his inability to take steps. There is response from the appellant or his counsel and also from the counsel appearing before the tribunal i.e. Sri D.Uma Shankar. In the present scenario, no other option to this Court except to hear learned counsel for the 2nd respondent – insurance company.

Heard learned counsel for the Insurance Company.

A perusal of the entire material available on record, the order passed by the tribunal is just and proper and hence, the appeal is liable to be dismissed.

Accordingly, the appeal is dismissed confirming the order passed by the tribunal. There shall be no order as to costs.

Miscellaneous petitions if any, shall stand closed.

T.AMARNATH GOUD,J

Date: 04.12.2019
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