

HONOURABLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.No.2493 of 2005

JUDGMENT:

This appeal is filed by the United India Insurance Company Limited under Section 173 of the Motor Vehicles Act aggrieved by the orders passed by the Chairman, Motor Accidents Claims Tribunal-cum-II Additional District Judge, Ranga Reddy District (for short 'the Tribunal), in O.P.No.366 of 2000 dated 28.04.2005.

2. The Tribunal after framing the issues and examining the witnesses, allowed in part the claim of the claimants by awarding an amount of Rs.1,00,000/- against the claim of Rs.1,50,000/- with rate of interest at 9% per annum.

3. Learned counsel for the appellant-insurance company contended that the Tribunal ought to have seen that the deceased is a hired passenger and the vehicle is not a passenger vehicle and the insurance company is not liable to pay the compensation and sought to exonerate him from the liability by allowing the appeal.

4. Learned counsel for the respondents 1 & 2-claimants supported the award of the Tribunal and sought for dismissal of the appeal.

5. From perusal of the material on record, this Court is of the opinion that the award of the Tribunal is well considered and requires no interference of this Court except the 9% rate of interest awarded by the Tribunal is on higher side and same needs to be reduced to 7.5% per annum.

6. Accordingly and in the result, this Appeal is partly allowed by reducing the rate of interest from 9% to 7.5% per annum. In other aspects, the award of the Tribunal holds good. No costs.

Miscellaneous petitions if any shall stand closed.

T.AMARNATH GOUD, J

Date: 18.11.2019
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