

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.3645 of 2005

JUDGMENT:

This appeal is filed by the appellants/claimants questioning the order passed in O.P.No.95 of 2005 dt.07-07-2005 of the Motor Accident Claims Tribunal-cum-I Additional District Judge, Karimnagar (for short, the Tribunal).

2. Brief facts of the case are that the claimants, who are the legal heirs of the deceased, filed the claim petition against the respondents claiming compensation of Rs.1.80 lakhs for the death of the deceased in the accident occurred on 27-10-2004 due to the rash and negligent driving of the driver of the RTC bus bearing No.AP 11 Z 2985, driven by its driver, when she is proceeding on motorcycle along with her husband at Gagillapur stage to attend function at Koheda village.

3. In the claim petition, the respondents filed counters denying the allegations and contended that the amount claimed by the claimants is highly excessive and that they are not liable to pay any compensation and therefore 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 rash and negligent driving of the driver of the crime vehicle

and accordingly granted an amount of Rs.1,00,000/- towards compensation. Aggrieved by the same, the claimant filed this appeal.

5. Heard and perused the material available on record.

6. As seen from the case on hand, the claimant has not made out his case for considering enhancement of compensation since there is no evidence on record either oral or documentary in support of his claim. Further, on perusal of the impugned order passed by the Tribunal, it is clear that the Tribunal after appreciating the oral and documentary evidence came to the conclusion and rightly granted compensation. I find no illegality or irregularity in the order passed by the Tribunal and therefore the order does not warrant any interference by this Court and accordingly, the appeal is liable to be dismissed.

7. Accordingly, the Appeal is dismissed. No order as to costs.

8. Miscellaneous petitions pending, if any, shall stand dismissed.

T.AMARNATH GOUD, J

Date: 12-11-2019
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