

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

MACMA NO. 3341 OF 2005

JUDGMENT:

This appeal is directed by the claimants against the order and decree dated 20.01.2005 passed by the Motor Accidents Claims Tribunal-cum-Principal District Judge, Warangal (for short 'the Tribunal), in M.V.O.P.No.996 of 2003, whereby the tribunal dismissed the claim petition on the ground that there is a delay in filing the complaint and that the deceased was Bank Manager and immediately after the incident he was shifted to the hospital and that there are no serious injuries mentioned in the injury certificate that the deceased was unconscious.

2. After filing the claim petition, the 1st petitioner, who injured, died and other petitioners were brought on record as legal representatives.

3. On perusal of the entire material available on record and having regard to the facts and circumstances of the case, the tribunal rightly dismissed the claim petition that the petitioner was working as Bank Manager and it is reasonably presumed that the bank has reimbursed the expenses towards medical bills. Insofar other heads, i.e. pain and suffering, since the injured no longer survived, the same

cannot be granted. Moreover, there is a delay in filing the complaint and hence, the order passed by the tribunal is well considered and needs no interference of this Court. Accordingly, the appeal filed by the claimant is liable to be dismissed.

8. In view of the above, the appeal is dismissed confirming the order and decree dated 20.01.2005 in M.V.O.P.No. 996 of 2003 passed by the Motor Accidents Claims Tribunam-cum-Principal District Judge, Warangal. There shall be no order as to costs.

Miscellaneous petitions if any, shall stand closed.

Date: 29-10-2019
kvrn

T.AMARNATH GOUD,J