

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1608 of 2006

JUDGMENT:

This appeal is filed by the appellants/claimants questioning the order passed in M.V.O.P.No.885 of 2003 dt.02-02-2006 of the Motor Accident Claims Tribunal –cum- I Additional District Judge at Warangal (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.3.00 lakhs for death of the deceased in the accident occurred on 25-06-2003 due to the rash and negligent driving of the driver of the bus bearing No.AP 36 U 3213, when he was going on foot at Parkal, Hanamkonda main road.

3. In the claim petition, the respondent Nos. 2 and 3 filed their 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 held that the accident occurred due to the rash and negligent driving of the driver of the crime vehicle and accordingly, granted an amount of Rs.2,49,000/- towards

compensation. Aggrieved by the quantum of compensation, the claimants filed this appeal.

5. Heard the learned counsel for the appellants/claimants and Sri B.Mayur Reddy, learned Standing Counsel for the respondent-RTC and perused the material available on record.

6. 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. Further the issue involved in this case is already covered by **Managing Director, Karnataka State Road Transport Corporation v. New India Assurance Company Limited and others**¹. Hence, 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 costs.

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

T.AMARNATH GOUD, J

Date: 06-11-2019
kvr

¹ 2015 (6) ALD 166 SC