

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1807 OF 2015

JUDGMENT:

This appeal is preferred by the appellants/APSRTC questioning the order of the Motor Accident Claims Tribunal-cum-X Additional Chief Judge, City Civil Court, Hyderabad, (for short, the Tribunal) in M.V.O.P.No.62 of 2012, dated 30.03.2015.

2. The brief facts of the case are that on 21.06.2011 around 12:15 p.m., while the deceased, G. Anil Kumar, was proceeding on his Bajaj Discover motor cycle bearing No.AP 21 AF 6355 from Masab Tank to Langar House, Hyderabad, and reached near NMDC, Universal Bakery, Masab Tank, one APSRTC bus bearing No.AP 28Z 1902 came in a rash and negligent manner with high speed and hit the deceased from his behind, due to which he fell down and the bus ran over the head of the deceased and he died on the spot. Thereafter, the dead body of the deceased was shifted to Osmania General Hospital, Hyderabad. The legal heirs of the deceased filed MVOP seeking compensation of Rs.8,35,000/- together with interest thereon at 18% per annum from the date of petition till the date of realization for the death of the deceased.

3. In the claim petition, the appellant-APSRTC filed a counter denying the allegations and contended that the amount claimed by the claimants is highly excessive and that it is 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 the rash and negligent driving of the driver of the APSRTC bus and awarded a total compensation of Rs.15,83,000/- under various heads, with interest at the rate of 7.5% per annum. Aggrieved by the said order, the appellant/APSRTC filed the present appeal.

5. Heard both sides.

6. A perusal of the order passed by the Tribunal reveals that it is a well considered order by taking into consideration all the aspects. Therefore, I see no reason to interfere with the order of the Tribunal and the appeal is liable to be dismissed.

7. Accordingly, the Motor Accident Civil Miscellaneous Appeal is dismissed. Miscellaneous petitions pending, if any, shall stand dismissed. No order as to costs.

Date:19.11.2019

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T.AMARNATH GOUD, J