

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1279 of 2006

JUDGMENT:

This appeal is preferred by the appellant/insurer questioning the order of the Motor Accident Claims Tribunal-cum-II Additional District Judge (F.T.C.), Medak at Sangareddy (for short, the Tribunal) in O.P.No.508 of 2003 dt.10-01-2006.

2. Brief facts of the case are that on 06-04-2003, when the deceased-Varad Nagaraj was going towards Shantinagar and when he was at Bahvani Mandir X roads, at about 4.30pm, one motorcycle bearing No.AP 23 3 3721 driven by the driver of it at a high speed in a rash and negligent manner and dashed against him, due to which, he received serious injuries to his head and other parts of the body and died on the same day while undergoing treatment in hospital. Hence, the claimants filed the claim petition seeking compensation of Rs.1.50 lakhs for the death of the deceased in the said accident.

3. In the claim petition, the appellant and respondent Nos.4 and 5 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 came to the conclusion that the accident occurred due to the rash and negligent driving of the driver of the crime vehicle and awarded total compensation of Rs.1,50,000/- under various heads, with interest at the

rate of 7.5% per annum. Aggrieved by the said order, the appellant/insurer filed the present appeal.

5. Heard 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. 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 Motor Accident Civil Miscellaneous Appeal is dismissed.

8. Miscellaneous petitions pending, if any, shall stand dismissed.
No order as to costs.

Date: 05-11-2019
kvr

T.AMARNATH GOUD, J