

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. NO.825 OF 2006

JUDGMENT:

This appeal is preferred by the appellant/owner of offending vehicle, questioning the Judgment and Decree of the II Additional District & Sessions Judge (Fast Track Court), Medak at Sangareddy, (for short, the trial Court) in M.V.O.P.No.237 of 1999, dated 22.12.2005.

2. The brief facts of the case are that respondent No.1 is the wife, respondent Nos.2 to 4 are the children and respondent Nos.5 and 6 are parents of the deceased, Chakali Narsimulu. On 08.02.1999 at about 2.00 pm., while the deceased was crossing the National Highway No.7 at Chegunta Village, one jeep bearing No.AP11D 8632 came in a rash and negligent manner with high speed and dashed the deceased, due to which, he sustained grievous injuries and died on the spot. Respondent Nos.1 to 6 herein filed the aforesaid OP against owner of the jeep (appellant herein), claiming compensation of Rs.3,00,000/- for the death of the deceased.

3. Before the Tribunal, owner of the lorry filed a counter denying the allegations and contended that the amount claimed by the claimants is highly excessive and that he is not liable to pay any compensation and 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

jeep and awarded compensation of Rs.2,50,000/- with interest at the rate of 6% per annum. Aggrieved by the said order, the appellant/owner of the jeep filed the present appeal.

5. Heard.

6. Though the appellant stated in the grounds of appeal that the crime vehicle was not involved in the accident, in the examination under Section 313 Cr.P.C., in C.C.No.40 of 1999 on the file of the Court of Judicial First Class Magistrate, Medak, he did not state that his vehicle was not involved in the accident. Having regard to the facts and circumstances of this case, I am of the opinion that the Tribunal has passed a well reasoned order and it needs no interference. Consequently, 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.

T.AMARNATH GOUD, J

Date: 30-08-2019
TJMR