

HONOURABLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.No.3224 of 2005

JUDGMENT:

This appeal is filed by the Oriental Insurance Company Limited under Section 173 of the Motor Vehicles Act aggrieved by the orders passed by the Chairman, Motor Accidents Claims Tribunal-cum-Additional District Judge, Nizamabad (for short 'the Tribunal), in O.P.No.736 of 1998 dated 19.12.2002.

2. The Tribunal after framing the issues and examining the witnesses, allowed the claim of the claimants by awarding the claim amount of Rs.4,00,000/-.

3. Learned counsel for the appellant-insurance company contended that the Tribunal ought to have seen that the accident was occurred due to the rash and negligent driving of the deceased himself and the insurance company is not liable to pay the compensation and sought to exonerate him from the liability by allowing the appeal.

4. Learned counsel for the respondents contends that the award of the Tribunal is well considered and requires no interference of this Court and sought for dismissal of the appeal.

5. From perusal of the material on record, this Court is of the opinion that the award of the Tribunal is well considered and requires no interference of this Court and the appeal is liable to be dismissed.

6. Accordingly and in the result, this Appeal is dismissed by confirming the order of the Tribunal. No costs.

Miscellaneous petitions if any shall stand closed.

T.AMARNATH GOUD, J

Date: 18.11.2019
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