

HONOURABLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.No.3707 of 2005

JUDGMENT:

This appeal is filed by the United India Insurance Company Limited under Section 173 of the Motor Vehicles Act aggrieved by the orders passed by the Chairman, Motor Accidents Claims Tribunal-cum-I Additional District Judge, Khammam (for short 'the Tribunal), in O.P.No.423 of 2001 dated 16.03.2005.

2. The Tribunal after framing the issues and examining the witnesses, allowed in part the claim of the claimants by awarding the compensation of Rs.2,50,000/- against the claim of Rs.5,00,000/-.

3. Learned counsel for the appellant-insurance company contended that the Tribunal ought to have seen that the owner of the vehicle has not paid the premium to cover the risk of the deceased 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 1 to 4-claimants and also learned counsel for the 6th respondent-owner of the vehicle supported the order of the Tribunal 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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