

HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.1522 of 2006

JUDGMENT:

This appeal is filed by the appellant-insurer aggrieved by the Order and Decree dated 03-04-2006 passed in O.P.No.2049 of 2003 by the XIX Additional Chief Judge, City Criminal Courts, Hyderabad (for short, the Trial Court).

2. Brief facts of the case are that the claimant filed the claim petition against the appellant and 2nd respondent claiming compensation of Rs.1,25,000/- for the injuries sustained by him in the accident occurred on 03-03-2006 due to the rash and negligent driving of the driver of the goods carrier bearing No.AP 11 U 4617 when he is proceeding towards Saraswathinagar Colony, Saidabad, Hyderabad.

3. In the claim petition, the appellant-insurer filed its counter denying the averments of the claim petition and contended that the amount claimed is excessive and prayed to dismiss the claim petition.

4. After considering the oral and documentary evidence on record, the Trial Court came to the conclusion that the accident occurred due to the rash and negligent driving on the part of the driver of the crime vehicle only. So far as granting of compensation is concerned, the Tribunal granted an amount of Rs.50,000/- under

various heads, payable by the respondents jointly and severally, with interest at 7% per annum through out.

5. Aggrieved by the same, the appellant/insurer filed the present appeal.

6. Heard.

7. 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 therefore the appeal is liable to be dismissed.

8. With the above observation, the appeal is dismissed. No costs.

9. Miscellaneous petitions pending, if any, shall stand closed.

JUSTICE T.AMARNATH GOUD

Date: 06.11.2019
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