

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.No.1751 OF 2009

JUDGMENT:

This appeal is preferred by the appellant-Insurance Company questioning the order of the Chairman, Motor Vehicle Accident Claims Tribunal-cum-Il Additional District Judge, Karimnagar at Jagtial (for short, 'the Tribunal') in O.P.No.133 of 2007, dated 22.01.2009.

2. The brief facts of the case are that on 12.03.2006, while the deceased, who is the son of 1st respondent and brother of the 2nd respondent, was proceeding in an Auto bearing No.AP-15-U-9177 and when it reached Ichoda outskirts near Stone Crusher Machine on NH-7 road, the driver of the Auto drove the Auto in a rash and negligent manner and at high speed and dashed against the parked lorry bearing No.ATK-5519. As a result of which, the deceased succumbed to injuries. Therefore, respondents 1 and 2 filed the said MVOP seeking compensation of Rs.3,00,000/-.

3. In the claim petition, the appellant and the 3rd respondent filed counter affidavits 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 Auto and awarded total compensation of Rs.2,67,900/- under various heads, with interest at the

rate of 8.5% per annum. Aggrieved by the said order, the appellant/Insurance Company filed the present appeal.

5. Heard.

6. A perusal of the order reveals that the Tribunal passed a well considered order by taking into consideration all the aspects. Therefore, I see no reason to interfere with the order of the Tribunal and 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.

Date: 18-06-2019
Prv

T.AMARNATH GOUD, J

