

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. NO.2662 OF 2009

JUDGMENT:

This appeal is preferred by the appellant/Insurance Company questioning the Award of the Accident Claims Tribunal-cum-I Additional Chief Judge, City Civil Court at Secunderabad (for short, the Tribunal) in M.V.O.P.No.194 of 2006, dated 06.04.2009.

2. The brief facts of the case are that respondent No.1 is the father and respondent Nos.2 is the mother of the deceased, D.Satyanarayana. On 09.06.2006 at about 11.00 pm., while the deceased along with his friend traveling on Pulsar Motorcycle bearing No.AP28AN 7432, and when they reached near Shiva Shakthi Cross Roads, Hydershah Kotla, a jeep bearing No.AP28W 6618 came with high speed and in a rash and negligent manner and dashed the motorcycle in opposite direction. In the said accident, the deceased fell down and sustained head injury and died in Shdan Hospital, while undergoing treatment. Respondent Nos.1 and 2 herein filed the aforesaid MVOP against the owner of the jeep (respondent No.3 herein) and the insurer of the jeep (appellant herein), claiming compensation of Rs.6,50,000/- for the death of the deceased.

3. Before the Tribunal, owner of the jeep, remained *ex parte*. The appellant-Insurance Company filed a counter denying the allegations and contended that the amount claimed by the claimants is highly excessive and that it 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 total compensation of Rs.5,22,466/- under various heads, with interest at the rate of 7.5% per annum. Aggrieved by the said order, the appellant/Insurance Company filed the present appeal.

5. Heard.

6. Having regard to the facts and circumstances of this case, I am of the opinion that the Tribunal has passed a well reasoned order. Therefore, no interference is required in the award passed by the Tribunal. 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.

Date: 06-08-2019
TJMR

T.AMARNATH GOUD, J