

THE HONOURABLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A.No. 36 and 37 of 2006

COMMON JUDGMENT:

These appeals are directed by the claimants against the common order and decree dated 23.11.2004 passed in O.P.Nos.237 and 501 of 2001 by the XIV Additional Chief Judge, City Civil Court, Hyderabad, (for short 'the Tribunal'), whereby the tribunal granted Rs.10,000/- with proportionate costs and interest at 9% per annum in both OPs on the ground that the accident occurred due to rash and negligent driving of the driver of the auto bearing No. AP 11 U 6825 and the claimants sustained simple injuries and pain.

Since both the appeals arise out of the same accident, they are being disposed of by this common judgment.

For the sake of convenience, the parties herein are referred to as arrayed before the tribunal.

Before the tribunal, 1st respondent remained exparte and the 2nd respondent – insurance company filed counters in both OPs denying the claim petitions.

Before the tribunal, PWs.1 and 2 were examined on behalf of the claimants and marked Exs.A.1 to A.5. RW.1 and RW.2 were examined on behalf of the respondents and marked Exs.X1 and X.2 and Ex.B.1 – copy of insurance policy.

On perusal of the entire material available on record and having regard to the facts and circumstances of the case, the order passed by the tribunal is well considered and needs no interference

of this Court and accordingly, the appeals are liable to be dismissed.

In view of the above, the appeals are dismissed confirming the common order and decree dated 23.11.2004 passed in O.P.Nos.237 and 501 of 2001 by the XIV Additional Chief Judge, City Civil Court, Hyderabad. There shall be no order as to costs.

Miscellaneous petitions, if any, pending in this appeal shall stand closed.

11.11.2019
kvrn

T. AMARNATH GOUD, J

