

THE HON'BLE SRI JUSTICE T.AMARNATH GOUD

M.A.C.M.A. No.323 OF 2015

JUDGMENT:

This appeal is filed by the appellants/RTC aggrieved by the order and decree dated 28-10-2014 passed in O.P.No.35 of 2013 by the Chairman, Motor Accidents Claims Tribunal-cum-IX Additional District Judge, Kamareddy (for short, the Tribunal).

2. The brief facts of the case are that on 10.2.2013, the deceased Kodipyaka Bhagyalaxmi, her husband and other were proceeding in a car bearing No.AP09BD 2363 towards Edapayala Temple from Hyderabad and when they reached the limits of Kolcharam village near Lothu Vagu turning, the driver of the RTC bus bearing No.AP28Z 2165, drove the same in a rash and negligent manner and at high speed and dashed the car, as a result of which, the deceased sustained grievous injuries and died. The claimant filed a petition, claiming compensation of Rs.8,00,000/- for the death of the deceased.

3. The respondents filed a written statement, denying the allegations in the claim petition and contended that the RTC is not liable to pay any compensation and therefore prayed to dismiss the claim petition.

4. After considering the oral and documentary evidence adduced on both sides, the Tribunal came to the conclusion that the accident occurred due to the rash and negligent driving of the driver of the bus and awarded Rs.5,55,000/-, with interest at the rate of 7.5% per annum. Aggrieved by the said award, the appellants/RTC filed the present appeal.

5. Heard Sri G.Prashanth, learned counsel appearing on behalf of Sri N.Vasudeva Reddy, learned counsel for the appellants and Sri G.Rajeshwar Rao, learned counsel appearing for the respondent.

6. A perusal of the order reveals that the Tribunal has passed a well considered order by taking into consideration the oral and documentary evidence adduced on behalf of both the parties. Hence, I see no reason to interfere with the said award and therefore, 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: 21-01-2019
Shr

T.AMARNATH GOUD, J

