

HON'BLE SMT. JUSTICE LALITHA KANNEGANTI

M.A.C.M.A.No.3812 of 2012

JUDGMENT:

This appeal is preferred by the Insurance Company aggrieved by the quantum of compensation awarded by the Additional Metropolitan Sessions Judge for the Trial of JHCBB-cum-Additional Family Court-cum-XXIII Additional Chief Judge, Hyderabad in M.V.O.P.No.796 of 2004 on 09.08.2007 wherein the Insurance company as well as the RTC were held liable jointly and severally to pay the compensation.

2. Mr. K. Kota Subba Rao, learned Standing Counsel appearing for the Insurance Company submits that the said vehicle is hired by the RTC and RTC alone is responsible to pay the compensation. He submits that without appreciating the said fact, the Court below has fastened the liability on the insurance company also. It is submitted that on that ground, the Insurance Company is before this Court.

3. Mr. Thoom Srinivas, learned Standing Counsel appearing for the RTC submits that in the light of the law laid down by the apex court in ***U.P.State Road Transport Corporation vs. Ranjenderi Devi and others***¹, the larger bench of the Hon'ble Apex Court has held that the Insurance Company alone is liable to pay the compensation but not the RTC and that view was also followed by the Hon'ble Apex Court in ***U.P.***

¹ CIVIL APPEAL NO. 2526 OF 2020

State Road Transport Corporation vs. National Insurance Company Limited and others², dated 14.07.2021.

5. In that view of the matter, this Court finds no reason to interfere with the award passed by the Tribunal.

6. Accordingly, the M.A.C.M.A. is dismissed. No order as to costs.

Miscellaneous applications, pending if any, shall stand closed.

LALITHA KANNEGANTI, J

22nd February, 2023

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² CIVIL APPEAL NOS.18490-18491 of 2017