

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION
FIRST APPEAL NO. 661 OF 2007

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The State Of Maharashtra And Anr. Appellants

Versus

Vithal Govind Labade Respondent

Mr. A. R. Patil, AGP, Advocate for the Appellant-State.
None present for the Respondent.

CORAM : ARUN R. PEDNEKER, J.

DATE : 4th JULY, 2024.

P.C. :

1. The present appeal is filed by the State, challenging the award of the Motor Accident Claims Tribunal, Satara dated 13th December, 2002 whereby, the Tribunal has granted compensation of Rs.50,000/- to the claimant and apportioned the compensation between the two respondents authorities of the State. The Tribunal held that the accident occurred on account of negligence of the claimant so also the negligence of the Respondent.
2. Both the parties were held negligent 50% for the accident

and accordingly compensation which otherwise the claimant would have been entitled to of Rs.1,00,000/- has been apportioned Rs.50,000/- each between the drivers of both vehicles. The granting of 50% compensation to the claimant is challenged by the State on the ground that the negligence was entirely of the claimant.

3. Learned AGP appearing for the State has also not seriously argued the matter and has not pressed the matter too far. The amount granted is also not very large. The sole respondent though served has not even entered appearance. There is no point in sending fresh notice to the respondent for final hearing.

4. The appeal is dismissed on account of meager compensation so also no glaring error is seen in the order of the Tribunal.

5. In view of above, the appeal stands dismissed.

(ARUN R. PEDNEKER, J.)