

**IN THE HIGH COURT FOR THE STATE OF TELANGANA  
AT HYDERABAD**

**FRIDAY, THE TWENTIETH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR**

**PRESENT**

**THE HONOURABLE SRI JUSTICE K.SURENDER**

**MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 841 OF 2015**

Appeal filed Under Section 173 of Motor Vehicles Act, 1988 against the Order and decree in M.V.O.P.No.275 of 2011 dated.24-03-2014 on the file of the Court of the Motor Accident Claims Tribunal-cum- II Additional District Judge (Fast Track Court) at Khammam.

**Between:**

The National Insurance Company Ltd, O/o.EMCA Hosue, 4th Floor, Darya Ganj, New Delhi. through Local Branch, Khammam.

**...Appellant/Respondent No.2**

**AND**

1. Tejavath Venkateswarlu, S/o,Bixalu, Occ Fisherman / Coolie R/o.Old Lambada Thanda, Wyra, Khammam District.

**...Respondent/Petitioner**

2. M/s.Smooth Logistics Pvt Ltd, O/o.505, Agarwal, Cyber Plaza, Netaji Subash Place, New Delhi.

**...Respondents/Respondents**

**I.A. NO: 2 OF 2014(MACMAMP. NO: 5105 OF 2014)**

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay the execution of decree and judgment passed in MVOP.No.275 of 2011 dt. 24/03/2014 on the file of the Chairman, MACT (II Additional District Judge (FTC) at Khammam) and pending the final disposal of the main Appeal.

**Counsel for the Appellant : Sri Kota Subba Rao**

**Counsel for the Respondent No.1 : Sri Srinivasa Rao Madiraju**

**The Court delivered the following: Judgment**

**THE HONOURABLE SRI JUSTICE K.SURENDER**

**MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL No.841 of 2015**

**J U D G M E N T:**

This appeal is filed by Insurance company on the ground that offending vehicle registration number was mentioned as 'HR 55 J 9400'. However, during investigation, it was known as 'HR 55 F 9400'.

02. The manner in which the accident had taken place and the liability is not in dispute.

03. If at all the case of the insurance company is that it is a different vehicle, it ought to have produced evidence to that effect. However, a clerical or typographical mistake, cannot form basis for refusing the compensation.

04. Having gone through the record, I do not find any infirmity with the findings of the learned Tribunal while granting compensation. Therefore, there are no grounds to interfere with the order passed by the learned Tribunal and the appeal is liable to be dismissed.

05. Accordingly, this Motor Accident Civil Miscellaneous Appeal is dismissed. There shall be no order as to costs.

As a sequel, miscellaneous applications, if any pending, shall stand closed.

Sd/- P.PADMANABHA REDDY  
ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Motor Accident Claims Tribunal-cum- II Additional District Juge (Fast Track Court) at Khammam (With records)
2. One CC to Sri Kota Subba Rao, Advocate [OPUC]
3. One CC to Sri Srinivasa Rao Madiraju, Advocate [OPUC]
4. Two CD Copies

ADK

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**HIGH COURT**

**KS,J**

**DATED:20/09/2024**



**JUDGMENT+DECREE**

**MACMA.No.841 of 2015**

**DISMISSING THE MACMA  
WITHOUT COSTS**

6 copies  
for  
20/11/24

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AT HYDERABAD

FRIDAY, THE TWENTIETH DAY OF SEPTEMBER  
TWO THOUSAND AND TWENTY FOUR

PRESENT

THE HONOURABLE SRI JUSTICE K.SURENDER

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and decree in M.V.O.P.No.275 of 2011 dated.24-03-2014 on the file of the Court of  
the Motor Accident Claims Tribunal-cum- II Additional District Juge (Fast Track  
Court) at Khammam.

This appeal coming on for hearing and upon perusing the grounds of appeal,  
the Judgment and Decree of the Lower Court and the material papers in the Case  
and upon hearing the arguments of Sri Kota Subba Rao, Advocate for the Appellant  
and of Sri Srinivasa Rao Madiraju, Advocate for the Respondent No.2 and none  
appeared for the respondent No.1.

This Court doth Order and Decree as follows:

1. That the Motor Accident Civil Miscellaneous Appeal be and hereby is  
dismissed;
2. That there shall be no order as to costs in this appeal.

Sd/-P.PADMANABHA REDDY  
ASSISTANT REGISTRAR

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for

HIGH COURT

KS,J

DATED:20/09/2024

DECREE

MACMA.No.841 of 2015

DISMISSING THE MACMA

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20/11/24