

(2017) 04 RAJ CK 0217
In the Rajasthan High Court
Case No : 2588 of 2008

New India Insurance Co Ltd

APPELLANT

Vs

Smt Sudha Dubdy

RESPONDENT

Date of Decision : 07-04-2017

Acts Referred:

Citation : (2017) 04 RAJ CK 0217

Hon'ble Judges : Mahesh Chandra Sharma

Bench : SINGLE BENCH

Advocate : Lalima Purohit, Alok Garg, Ramavtar Bochalya

Judgement

1. This appeal has been filed against the impugned judgment and award under appeal. Brief facts of the case are that an accident occurred in the present case and with regard to an accident, a claim petition was filed on behalf of the claimant/s claiming compensation as mentioned therein. Notices were issued to the opposite parties. Reply to the claim petition was filed and the learned Tribunal framed the issues. After hearing all the parties, the learned Tribunal passed the aforesaid impugned judgment & award under appeal.
2. Against the impugned judgment and award under appeal, the appellant preferred the instant appeal for the relief as prayed for in it.
3. Learned counsel for the appellant has contended that the learned Tribunal has failed to appreciate each and every aspect of the matter as also the evidence available on record. The award passed by the learned Tribunal is illegal, without jurisdiction and contrary to the facts of the case. Hence impugned award deserves to be modified/enhanced.
4. On the other hand, learned counsel for the respondents has opposed the submissions advanced on behalf of appellant and requested for maintaining/ setting aside of award.
5. I have heard learned counsel for the parties and perused the impugned

judgment and award under appeal. I am in agreement with the findings arrived at by the learned Tribunal, which are reproduced as under:- "VERNACULAR MATTER OMITTED"

6. Looking to the facts and circumstances of the case and the findings arrived at by learned Tribunal as quoted herein above, the learned Tribunal is found to have dealt with each and every aspect of the matter, and has rightly passed the impugned judgment and award. I am in unison with the findings arrived at by the learned Tribunal. Hence, I do not think it just and proper to interfere with the impugned award under appeal passed by the Tribunal, and thus the appeal having no force, is hereby dismissed after confirming the judgment and award under appeal passed by the learned Tribunal.