

(2001) 11 AHC CK 0126
In the Allahabad High Court

Regional Manager, U.P.S.R.T.C.

APPELLANT

Vs

Noor Jahan Begum

RESPONDENT

Date of Decision : 09-11-2001

Acts Referred:

Citation : (2002) 1 ACC 551

Hon'ble Judges : V.M. Sahai, J;Sudhir Narain, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Sudhir Narain, J.—This appeal is directed against the award of the Motor Accident Claims Tribunal dated 24th July, 2001 awarding a sum of Rs. 1,50,000/-as compensation.

2. The son of the claimant died in the accident caused by the Corporation Bus No. UP-70/9028. The appellant contested the claim petition on various grounds.. The Tribunal recorded a finding that the accident was caused due to rash and negligent driving of the Corporation bus and on consideration of evidence it found that the claimant was entitled to a sum of Rs. 1,50,000/- as compensation. This order has been challenged in the present appeal.

3. We have heard Mr. Sameer Sharma, learned Counsel for the appellant.

4. Learned Counsel for the appellant assailed the finding recorded by the Tribunal. It is urged that the accident was not caused due to rash and negligent driving of the driver of the Corporation bus. It is further submitted that the amount awarded by the Tribunal as compensation is excessive.

5. We have perused the impugned order and the material placed before us. We do not find that the finding recorded by the Tribunal suffers from any legal infirmity.

6. The appeal is accordingly dismissed.

7. Rs. 25,000/- deposited by the appellant in this Court shall be remitted by the Registry to the Tribunal within one month for payment/adjustment of the amount towards the claim of the respondents.