

(2005) 08 AHC CK 0279
In the Allahabad High Court

U.P. State Road Transport Corporation	Vs	APPELLANT
Resham Devi and Another		RESPONDENT

Date of Decision : 23-08-2005

Acts Referred:

Citation : (2006) 2 ACC 421

Hon'ble Judges : R.P. Misra, J; Krishna Murari, J

Bench : Division Bench

Judgement

R.P. Misra, J.—Heard learned Counsel for the appellant Mr. V.C. Dixit.

2. This First Appeal from Order is directed against the award of Motor Accident Claims Tribunal. The bus of the appellant Corporation was involved in an accident which resulted in the death of one Prem Pal. The dependents of the deceased filed a claim petition. The Claims Tribunal awarded a sum of Rs. 1,39,500 along with 6% interest from the date of filing of claim till date of payment, as compensation.

3. It has been urged by the learned Counsel for the appellant that it was proved by oral statement of the driver and conductor that the bus of the Corporation was not involved in the accident, which has been ignored by the Tribunal.

4. We have gone through the impugned judgment. The Tribunal has considered the entire evidence on record and, thereafter, recorded a finding of fact that the bus of the Corporation was involved in the accident. No other ground was pressed before us by the learned Counsel for the appellant.

5. There is no force in the appeal and the same is, accordingly, dismissed in limine.

6. The amount of award be paid to the claimant-respondents within two months.

7. The amount already deposited by the appellant in this Court be remitted to the Claims Tribunal within a week.