

Before the Motor Accidents Claims

Tribunal-cum - HON'BLE DISTRICT JUDGE : R.R. DISTRICT

AT L.R. NAGAR

CCRX.116.

O.P. NO:

386

of

2002
2000-1

Between :

1. Aakula Prabhakar, S/o A. Ramulu Chary (late)
28 yrs, Occ: private employee,

2. Aakula Mohan, S/o late A. Ramulu Chary,
aged 22 yrs, Occ: Mechanic

both R/o No.4-54, Narasimhanagar Colony,
Mallapur, R.R. District.

Petitioner

And

1. K. Mohan Reddy, S/o K. Yellareddy,
aged Major, Occ: Owner of JCB AP24U.2886
R/o 6-4-433, HIG, Phase IV,
Vanasthalipuram, RR District.70.

2. United India Insurance Co. Ltd.
Office at 2/A, VengalraoNagar,
Hyderabad 500 038.

Policy No.050500/31/01/00912

Valid from 7.6.2001 to 6.6.2002. ...

Respondent

CLAIM PETITION FOR COMPENSATION UNDER SEC. 166 OF THE M.V. ACT. 1983 AND RULES 475(1)(b) OF A. P. M. V. RULE 1989 R/W SEC. 140 (C) OF M. V. ACT. 1988

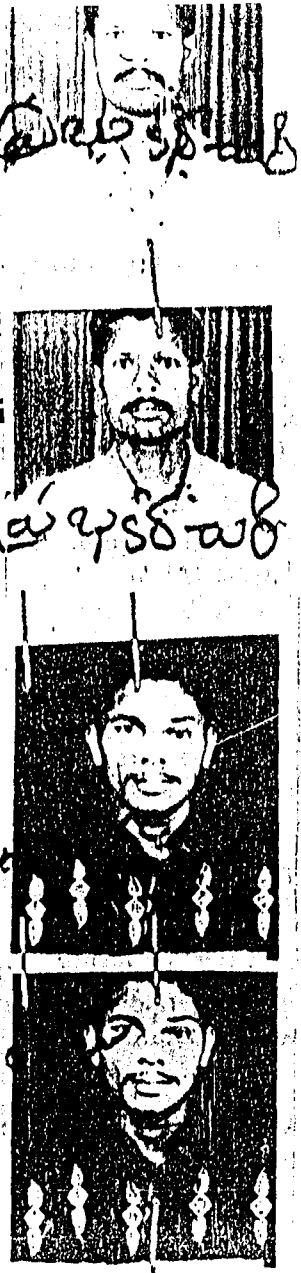
The description and address of the petitioners for service of notice, process, etc. is the same as mentioned in the above title and also that of their consels. B. AJAY KUMAR, Advocate Plot No.15, Bharathnagar Colony, Old Safilguda, RK Puram Post, Secunderabad 500 056.

The addresses of the respondents for favour of service of Notices and processes on them are same as mentioned above.

I/We the above named Petitioners

having been injured in motor vehicle accident hereby apply for the grant of compensation for injury sustained, Necessary particulars in respect of the injury vehicle etc., are given below:-

hereby apply, as a legal representative/agent for the grant of compensation on account of death of Smt. A. Shakunthala, w/o late Ramulu Chary / who died in motor vehicle accident.



1. Name and father's Name of the person injured/dead.	Smt. A. Shakuntala, w/o Late R. aged 45 years.
2. Full address of the person injured/dead.	No.4-54, Sarasimhanagar Colony, Mallapur, Nacharam, R.R. Dist.
3. Age of the person injured/dead	45 years.
4. Occupation of the person injured/dead	Employee in Chandamama Press at Mallapur, Nacharam, RR Dist.
5. Name and address of employer of the injured/dead	Chandamama Press, Mallapur, Nacharam, R.R. District.
6. Monthly income of the person injured/dead	Rs. 1000/-
7. Does the person in respect of whom compensation is claimed pay income tax.	No
8. Place, date, time of the accident	on the western side of Mayflower Park Bldg. at Sy.No.174, Mallapur (V), RR Dist, on 15.5.2002 at 1730 hrs.
9. Name and address of the police station in whose jurisdiction the accident took place was registered.	P.S. Nacharam, RR Dist, registered Crime No.111/2002 u/s.304(A), 337 IPC.
10. Was the person in respect of whom compensation is claimed travelling by the vehicle involved in the accident if so give the name of places starting of journey and destination.	Going by walk from employer Co. to house, the wall collapsed and fell on victim because of JCB hitting the wall from the other side. 3 others going on the road also got injured.
11. Nature of injuries sustained and continuing effect if any of the injury	Died on the spot.
12. Name and address of the medical officer/practitioner if any, attended on the injured/dead	Duty Medical Officer, Gandhi Hospital, Secunderabad.
13. Nature and period of the treatment and expenditure if any, incurred thereon	instant death
14. Disability for work, if any caused	died
15. Registration number and the type of the vehicle involved in the accident.	JCB excavator regn No.AP.24U.2886
16. Name and address of the owner of the vehicle	As shown under cause title as Respondent No.1
17. Name and address of the insurer of the vehicle	As shown in Cause title as Rspdt.No.2.
18. Has any claim been lodged with the owner/insurer and if so with result	No.

B. C. R

U. P. D. M.

Whether the person injured/dead had been involved in any road accident earlier.

NO

20. Whether the person injured/dead had preferred claim for damages in any case earlier and if so, with what result.

NO

21. Whether he is related to or has know the defondent and if so how

NO

22. Name and address of the Applicant

As shown in Cause title as Petitioners

23. Relationship with the person injured/dead

Petrns 1 & 2 sons of Deceased

24. Title to the property of the dead

Legal Heirs.

25. Amount of compensation claimed

Rs. 2,00,000/-

(i) FOR SPECIAL DAMAGES (particulars of loss expenses)

(a) Loss of earnings from

(b) Partial loss of earning from

(c) Transport to Hospital

(d) Extra nourishment and medicine

(e) Damages to clothing and

(f) Others

(ii) FOR GENERAL Damages

(a) Compensation for pain and suffering

(b) Compensation Under No fault liability

(c) Compensation for the continuing or permanent disability and loss of pleasure and amonities of life and loss of future earning power and loos of Consortion

(d) Compensation for the loos of life/future earning powers and maintance/loos of consortium (loos conjugal happiness) to the petitioners

6. Any other information may be necessary or helpful in the dsposal of the claim, the petitioners submit as follows :

petitioners claimed compensation of
RS. 200,000/- claimed under
all heads

B. B. B. B.

Smt. A. Thukunthala, Victim, was employed with Chandamama Press, at Nacharam, RR District, and drawing Rs. per month. On 15.5.2002 at about 17.30 hours, while the victim was returning to home from her place of work, when was walking on the western side of the Mayflower Park Building, at Mallapur, suddenly the wall on the western side of the said building fell on the victim and 3 others who were walking on the said road. That a JCB No. AP24U.2086 which was working in the said building, was driven by the driver of the said JCB in a rash and negligent manner without taking the precautions and requirements to operate such a heavy JCB, and hit the wall on the western side of the said building, because of which the wall broke and fell on the passers by of the street, including the deceased, and while 3 others got injured, the deceased died on the spot.

That the deceased was hale and healthy at the time of premature death on 15.5.2002. She was drawing and contributing her whole salary for the maintenance of the total family. It is also submitted that because of sudden death of his wife, the deceased's husband Ramulu Chary also got severely upset, shocked and finally he also died on 18.6.2002. That thus the Petitioners lost their mother and also their father, as a result of the above said accident in which the deceased died on the spot.

The Respondent No.1 is the owner and the Respondent No.2 is the Insurer of the J.C.B. the accident vehicle and as such, the Respondents both are jointly and severally liable to pay compensation to the Petitioners.

The Petitioners declare that they have not filed any other claim against the Respondents herein in any other Court.

7
8
A. [Signature] a [Signature]

FIRST INFORMATION REPORT

Arrested: Kange... P.S. N... Year 20... File No. 111/CL Date 15/5/02

- (i) Act... Sections...
(ii) Act... I.P.S... Sections 306, 331, I.P.C.
(iii) Act... Sections...
(iv) Other Acts & Sections...

3. (a) Occurrence of offence: Day 15.5.02 Date from 15.5.02 Date to 15.5.02
Time Period: Time From: Time to:
(b) Information received at P.S.: Date: 15.5.02 Time:
(c) General Diary Reference: Entry No. Time:

4. Type of Information: Written / Oral
5. Place of Occurrence: (a) Direction and distance from P.S. 4 km
Beat No. V
(b) Address:
(c) In case, outside the limit of this Police Station, then Name of P.S. District:

6. Complainant / Informant:
(a) Name:
(b) Patil's / Husband's Name:
(c) Date/Year of Birth:
(d) Nationality:
(e) Passport No. Date of Issue. Place of Issue.
(f) Occupation:
(g) Address: 4-54

7. Details of known/suspected/unknown accused with full particulars:
(1) J.C.B. No. A-CLU-2256
(2) ...

8. Reasons for delay in reporting by the complainant / informant: 45 minutes ...

9. Particulars of properties stolen (Attach separate sheet, if necessary):

10. Total Value of property stolen:

11. Inquest Report / U.D. case No. if any:
12. First Information contents (Attach separate sheet, if required):

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2
(1) registered the case and took up the investigation or
(2) Directed (Name of I.O.) Rank. No. to take up the investigation or
(3) Refused investigation due to
(4) Transferred to P.S. District on point of jurisdiction

F.I.R. read over to the complaint / informant, admitted to be correctly recorded and a copy given to the complaint/informant, free of cost.
Signature/Thumb Impression of the complaint / informant.
Signature of officer in charge, Police station Name. Rank. No.
Date and time of despatch to the copy.

In the Court of Addl. Judicial First Class
Magistrate Town of Nattal Kallapur & R
Hunuvada etc.

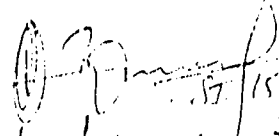
On 15.10.2018 at 1530 hours
received a complaint from Sri A. Pichay
of Kallapur, age 25y, of Nattal & R
Kallapur regarding the following facts as
follows

1. On 15.10.2018 at 1530 hours
received a complaint from Sri A. Pichay
of Kallapur, age 25y, of Nattal & R
Kallapur regarding the following facts as
follows

2. On 15.10.2018 at 1530 hours
received a complaint from Sri A. Pichay
of Kallapur, age 25y, of Nattal & R
Kallapur regarding the following facts as
follows

3. On 15.10.2018 at 1530 hours
received a complaint from Sri A. Pichay
of Kallapur, age 25y, of Nattal & R
Kallapur regarding the following facts as
follows

Copy of the complaint to
be filed in the
Court of Addl. Judicial First Class
Magistrate Town of Nattal Kallapur & R
Hunuvada etc.


15/10/2018
Sd/-
A. Pichay

Therefore it is prayed

that this Honourable Court may be pleased grant a sum of Rs. 2,00,000/- (Two lakhs only) towards compensation to the petitioners towards compensation is the interest of justice.

A. Singh

Date: 31-05-2003

A. Mohan

Accused - Petitioners

Petitioner's

VALUATION

That the claim of the petitioners is for the sum of Rs. 2,00,000/- in the shape General damage and Court fee Rs. 1360/- is paid under Rule 475(1) (b) fo A P M V Rules 1964 which is sufficient and proper. Limitation: That the accident took place on 15-05-2002 as the statutory period expires on _____ and the claim is filed on 31-05-2003 therefore, the claim is within the limitation as provided under Section 166 of (A) of M V Act.

VERIFICATION

I/we the above named petitioners do hereby that the facts states in the said claim petition are true and correct to the best of my/our knowledge, belief and information, hence verified on the 31-05- day of May 2003

Petitioners

A. Singh

Date: 31-05-2003

A. Mohan

Accused - Petitioners
Counsel for petitioner(s)

Before the Motor Accident
Claims Tribunal-cum *Panel*
Dr. M. V. ... **IT**

O.P. No. *12002*

BETWEEN:
... Petitioner

AND

K. ... Respondent

**Claim Petition for Compensation
U/Sec. 166 of the M.V. Act. 198 and
Rule 475(1) (b) of A.P. M.V. Rules,
1989 R/w Sec. 140(c) of MV Act. 1988**

Filed on : *06 10/02*

Filed by : *...*
Advocate

Address for Service : Phone : 56556248

...
Advocate