

Sunil vs Vidyasagar (Owner)

Sunil vs Vidyasagar (Owner)

SooperKanoon Citation : sooperkanoon.com/1336839

Court : Kerala

Decided On : Feb-28-2023

Judge : Honourable Mr. Justice Raja Vijayaraghavan V

Appeal No. : OP (MAC)/45/2023

Appellant : SUNIL

Respondent : Vidyasagar (Owner)

Judgement :

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MR. JUSTICE RAJA VIJAYARAGHAVAN V TUESDAY, THE 28TH DAY OF FEBRUARY 2023 / 9TH PHALGUNA, 1944 OP (MAC) NO. 45 OF 2023 OPMV 400/2017 OF MOTOR ACCIDENT CLAIMS TRIBUNAL & SPECIAL COURT FOR E.C. ACT CASES, THRISSUR

PETITIONER/PETITIONER: SUNIL AGED 44 YEARS S/O. VELANDI, THAVALAKADAN HOUSE, POOTHARAKKAL DESOM, CHOVVUR VILLAGE, THRISSUR TALUK, THRISSUR DISTRICT, PIN - 680 027. BY ADVS. D.G.VIPIN DANIEL A.J. RESPONDENTS/RESPONDENTS: 1 VIDYASAGAR (OWNER) S/O. LATE K.K. MENON, ALLATH HOUSE, ANTHIKAD POST, THRISSUR - 680 641. 2 RAJESH M.A (DRIVER)

AGED 35 YEARS,, S/O. NARAYANAN, MUNDAYURVALAPPIL HOUSE,
PALAKKAL P.O., THRISSUR, PIN - 680 001.

3 HDFC ERGO INSURANCE COMPANY LTD. (INSURER), 1ST FLOOR, KVR
TOWER, SOUTH BAZAR, KANNUR - 670 002. THIS OP (MAC) HAVING COME
UP FOR ADMISSION ON 28.02.2023, THE COURT ON THE SAME DAY
DELIVERED THE FOLLOWING: O.P(MAC). No.45 of 2023 2

JUDGMENT

This OP (MAC) is filed seeking expeditious disposal of OPMV No.400/2017 on the
files of Motor Accidents Claims Tribunal, Thrissur.

2. This Court had directed the Registry to get a report as regards the relative
pendency of claim petitions pending before the said court and the time frame
within which the matter can be disposed of.

3. In the report submitted by the learned Tribunal and placed before this Court, it is
stated that the claim petition filed by the petitioner can be disposed of within a
period of six months.

4. In that view of the matter, this petition is disposed of, directing

the learned Motor Accidents Claims Tribunal, Thrissur to make an endeavour to
dispose of OP MV No.400 / 2017 within an outer limit of six months from today.
The OP(MAC) is disposed of as above. Sd/- RAJA VIJAYARAGHAVAN V JUDGE
Sru O.P(MAC). No.45 of 2023 3 APPENDIX OF OP (MAC) 45/2023 PETITIONER
EXHIBITS Exhibit P-1 TRUE COPY OF O.P.(M.V.) NO. 400/ 2017. Exhibit P-2
TRUE COPY OF THE DISCHARGE SUMMARY DATED 27-8-2016 ISSUED
FROM THE ELITE MISSION HOSPITAL. Exhibit P-3 TRUE COPY OF THE
CERTIFICATE DATED 10-11-2022 ISSUED BY DR. RAMKUMAR MENON,
ATREYA HOSPITAL Exhibit P-4 TRUE COPY OF THE DISABILITY
ASSESSMENT BOARD'S CERTIFICATE DATED 20-6-2019. Exhibit P-5 TRUE
COPY OF THE I.A. NO. 7/2022 IN

O.P.(M.V.) NO. 400/2017 FILED BY THE 3RD RESPONDENT BEFORE THE LEARNED MOTOR ACCIDENTS CLAIMS TRIBUNAL, THRISSUR. Exhibit P-6 TRUE COPY OF THE "B" DAIRY PROCEEDINGS FROM THE LEARNED MOTOR ACCIDENTS CLAIMS TRIBUNAL, THRISSUR IN O.P.M.V. NO.400/2017. RESPONDENTS EXHIBITS : NIL

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com