

Salik Ram Singh Vs. Additional District Judge and ors.

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Court : Allahabad

Decided On : Sep-10-2002

Reported in : 2003(3)AWC1813

Judge : Anjani Kumar, J.

Acts : [Constitution of India](#) - Article 226; [Motor Vehicles Act, 1988](#) - Sections 166 and 173

Appeal No. : C.M.W.P. No. 9202 of 1999

Appellant : Salik Ram Singh

Respondent : Additional District Judge and ors.

Advocate for Def. : S.C.

Advocate for Pet/Ap. : Devendra Dahma, Adv.

Disposition : Writ petition dismissed

Judgement :

Anjani Kumar, J.

1. By means of present writ petition under Article 226 of the [Constitution of India](#), petitioner challenges the order dated 17.2.1997, Annexure-3 to the writ petition, passed by the Motor Accident Claims Tribunal, Jaunpur in Review Application No.

21 of 1996, arising out of Motor Accident Claim Petition No. 79 of 1995, decided on 10.9.1996.

2. Heard learned counsel appearing on behalf of the parties at length. It is clear from the scheme of the [Motor Vehicles Act, 1988](#), that the claimant before the Motor Accident Claims Tribunal, which is a special remedy, may approach provided under the Act which has been held to be social welfare legislation and statute prescribes the remedy of filing an appeal against the orders passed by the Tribunal or this Court. In this view of the matter petitioner, if feels aggrieved by the order passed by the Tribunal, he may, if so advised, approach this Court on the appellate side as contemplated under the Act. This being the legal position, that writ petition deserves to be dismissed as not maintainable.

3. In view of what has been stated above, the writ petition is dismissed as not maintainable. The interim order, if any, stands vacated. However, the parties shall bear their own costs.

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