

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

SPECIAL LEAVE PETITION (CIVIL) NO. OF 2013
(Arising out of SLP(C)...C.C. No.9268 of 2013)

VINODA MURTHY(D) TR.LRS.

PETITIONER(S)

VERSUS

N.RAGHAVENDRA

RESPONDENT(S)

O R D E R

Delay condoned.

This special leave petition has been preferred against the judgment and order of the Tribunal which has been affirmed by the High Court holding that the claim petition filed by the husband of the deceased victim, who is alleged to have died on account of motor accident, had rightly been rejected by the Tribunal.

Learned counsel for the petitioner-claimant, who is the husband of the deceased, assailed judgment and order of the courts below urging that the victim deceased died as a consequence of accident caused by the vehicle owned by the respondent and hence, the claim petition was wrongly rejected by the courts below.

However, we have heard the counsel for the petitioner at length and also examined meticulously the order of the Tribunal from which it could be gathered that the complaint in regard to the accident had been filed after six months of the accident and initially a complaint was lodged wherein it was stated that the

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deceased suffered grievous injuries on account of giddiness. Subsequently, however, after six months of the accident it was alleged that he died on account of accident caused by the motor vehicle which could not be established as the witnesses who were claimed to have watched the accident, were not even examined by the claimant.

In view of the aforesaid, we are of the opinion that even if we remand the matter to ascertain the correctness of the version of the petitioner, it is bound to cause harassment to the claimant-petitioner himself leading to no consequence. We, therefore, do not consider it appropriate to entertain this special leave petition and consequently it is dismissed.

.....J.
(GYAN SUDHA MISRA)

.....J.
(J. CHELAMESWAR)

NEW DELHI,
MAY 1, 2013.

ITEM NO.2

COURT NO.12

SECTION IVA

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil)...../2013
CC 9268/2013

(From the judgement and order dated 04/06/2012 in MFA No.12324/2007 (MV) of
The HIGH COURT OF KARNATAKA AT BANGALORE)

VINODA MURTHY(D) TR.LRS. Petitioner(s)

VERSUS

N.RAGHAVENDRA Respondent(s)

(With appln(s) for c/delay in filing SLP,c/delay in refiling SLP)

Date: 01/05/2013 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE GYAN SUDHA MISRA
HON'BLE MR. JUSTICE J. CHELAMESWAR

For Petitioner(s) Mr. Anand Sanjay M. Nuli, Adv.
Mr. Lave Kumar Sharma, Adv.
For Mr. B. Subrahmanya Prasad,Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Delay condoned.
The special leave petition is dismissed in terms of the
signed order.

|(Neetu Khajuria)

|(Sneh Bala Mehra)

|
|Sr.P.A.

|Court Master

(Signed order is placed on the file.)