

IN THE COURT OF THE MOTOR VEHICLE  
ACCIDENTS CLAIMS TRIBUNAL CUM -

CHIEF JUDGE: CITY CIVIL COURT AT HYDERABAD



O.P.No. 2063 of 2018

Identified by me

*[Signature]*  
Counsel for Petitioner

Between:

K.Prahalad Goud S/o, K.Yadagiri Goud,  
Aged 35 years, occu: Private Employee,  
R/o, C/o, Plot No.26, Sai Nagar,  
Amberpet, Hyderabad.

... Petitioner

AND

- 1). OLA Fleet Technologies Pvt Ltd.,  
Rep by M.Sandeep Kumar Reddy,  
D.No: 9-2-233 to 239/1 & 2, Near Mother Teresa Statue,  
Rezimental Bazar, Secunderabad -- 500025.
- 2). Bajaj Allianz General Insurance Co. Ltd.,  
Rep by its Manager,  
North East Plaza, 4<sup>th</sup> floor, Beside BMW Showroom,  
Opp: RTA Office, Khairatabad, Hyderabad -- 500004.

Policy: OG-18-1701-1803-00005922  
Valid from: 02-06-2017 to 01-06-2018

- 3). G.Nagaraju S/o, Sakru,  
Aged Major, occu: Driver,  
R/o, 9-C, Devunigutta Thanda, Annaram,  
Thungathurthy, Suryapet - 508280.

... Respondents

CLAIM PETITION FOR COMPENSATION UNDER SEC. 166 OF THE M.V.ACT.1988  
AND RULE 475 OF A.P.MOTOR VEHICLE RULE 1989 AND SEC.140© OF M.V.ACT.1988

The address of the petitioners for purpose of service of notices and process on them are the same as mentioned in the cause title and also that of their counsel.

**M.RAJESH KHANNA**  
Advocate

H.No:16-2-146/14/3, Malakpet Palton, Hyderabad.

The address of the respondents for favour of service of the notices and process on them are same is mentioned above.

I/We

Having been injured in motor vehicle accident here by apply for the grant of compensation for the injuries sustained by the petitioner.

Necessary particulars in respect of the injured and the vehicle details are given below:

*[Signature]*

1. Name and Father's name of the person Injured : K.Prahalad Goud  
S/o, K.Yadagiri Goud
2. Full address of the person injured : R/o, C/o, Plot No.26, Sai Nagar,  
Amberpet, Hyderabad.
3. Age of the person injured : 35 years
4. Occupation of the person injured : Supervisor
5. Name and address of employee of the person injured : HP Petrol Pump  
Secunderabad.
6. Monthly income of person injured : Rs.15,000/- per month
7. Does the person in respect of where compensation is claimed pay income tax : --
8. Date, Place and time of the accident : On 20-04-2018 at about 10.00 hours  
Near Willington 'X' Road, about  
1 km towards South from PS:
9. Name and address of the Police Station in whose jurisdiction the accident took place was registered : P.S.Karkhana  
Crime No.39/2018
10. Was the person in respect of whom compensation is claimed traveling by the vehicle involved in accident if so, give the name of the place of starting journey and destination. : The petitioner was proceeding on  
bike bearing No.AP-28BP-4229  
near Willington 'X' Road,  
Karkhana towards Petrol pump side.
11. Nature of injuries sustained and continuing effect, if any of the injury. : Sustained grievous injuries besides  
fractures all over the body.
12. Name and address of the medical officer/ practitioner, if any who attended on the injured. : Duty Medical officer  
Navjeevan Hospitals,  
Secunderabad.
13. Nature and period of the treatment and expenditure, if any incurred there on : Still under treatment
14. Disability for work any caused : Permanent disability
15. Registered number and the type of the vehicle involved in the accident. : Car bearing  
No. TS-10UB-1382
16. Name and address of the owner of the vehicle and driver : As shown in the cause title  
Respondent No.1 and 3
17. Name and address of the insurer of the vehicle : As shown in the cause title  
Respondent No.2
18. Has any claim been lodged with the owner/insurer and if so with what result. : No

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19. Whether the person injured had been involved in any road accident earlier : No
20. Whether the person injured 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 Defendant and if so how ? : No.
22. Name and address of the applicant : As shown in the cause title-Petitioner
23. Relationship with the injured : Injured Petitioner
24. Title to the property of the injured : Injured petitioner
25. Amount of compensation claimed : Rs. 8,00,000/- (Under all heads)

**(I). FOR SPECIAL DAMAGES**  
(Particulars of loss expenses)

- (a) Loss of earning : Rs. --
- (b) Partial loss of earning : Rs. --
- (c) Transport to Hospital : Rs. --
- (d) Extra Nourishing : Rs. --
- (e) Damages to clothing and articles : Rs. --
- (f) Others (Medical Expenditure) : Rs. --

**(II). FOR GENERAL DAMAGES**

- (a) Compensation for pain and suffering : Rs. --
- (b) Compensation under No fault liability : Rs. --
- (c) Compensation for the continuing or Permanent disability and loss of future Earning power and loss of consortium : Rs. --
- (d) Compensation for the loss of life/ Future earning powers and maintenance : Rs. 8,00,000/-  
Loss of consortium of conjugal  
Happiness to the petitioners

Total : Rs. 8,00,000/-

*12 Prb*



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

It is submitted that on 20-04-2018 at about 10.00 hours the petitioner was proceeding on bike bearing No.AP-28BP-4229 from Airtel office at Wellington 'X' roads towards HP Petrol pump, Karkhana side. When he reached Wellington 'X' roads, at that time one car bearing No.TS-10UB-1382 came in a rash and negligent manner with high speed and lost control over the vehicle and dashed to the petitioner bike. Due to which petitioner fell down on the road and sustained grievous injuries besides fractures. Immediately he was shifted to Navjeevan Hospitals, where he was admitted as in-patient.

The above accident occurred only due to the rash and negligent driving of car by its driver who drove the vehicle without following traffic rules. Police Karkhana registered a case under Crime No.39/2018.

It is submitted that in the above accident, petitioner sustained Fracture of Tibia, Fracture of Fibula and also other multiple injuries all over the body. As a result petitioner had undergone major surgeries and was confined to bed rest and unable to move from bed. So far he had spent more than Rs.2,00,000/- towards medical expenditure and still he is under treatment of doctors and he is unable to do any work. His prospects in his work are badly affected. He is suffering with lot of pain with permanent disability. Due to the above accident not only petitioner, but also his family members are put to great hardship and mental agony besides loss.

The Respondent No.1 is owner, No.2 is Insurer and No.3 is the driver of crime vehicle, hence all are liable to pay compensation jointly and severally.

**JURISDICTION:** The Petitioner is resident of Hyderabad and Respondent No.2 Office situated at Hyderabad, hence Petitioner is intending to file the case before this Hon'ble Court and this Hon'ble Court has got jurisdiction to entertain present petition.



It is submitted that this is the first case between the parties and there is no other case or proceedings are pending in any other court.

Therefore it is prayed that this Honourable Court may be pleased to grant a sum of Rs.8,00,000/- along with interest @ 18% p.a. and costs to the petitioner towards compensation against the Respondents holding them liable to pay jointly and severally is the interest of justice.

  
Counsel for the petitioner

  
Petitioner

#### VALUATION

That the claim of the petitioner's is for the sum of Rs.8,00,000/- (Rupees Eight Lakhs only) in the shape general damage and court fee Rs.7,360/- is payable under rule 475 (i) (b) of A.P.M.V. rules 1989 which is sufficient and proper. The said court fee payable at SBI, City civil court Extn counter, Hyderabad towards Court stamps vide scroll No. dated / / .  
(\*) Petitioner filed Petition Under Rule 475(2) of APMV Rules for exemption of Court fee.

#### VERIFICATION

I, the above named petitioner do hereby sincerely declare the contents of the above claim petition is true and correct to the best of my knowledge, belief and on legal information, hence verified on this 30<sup>th</sup> day of June 2018 at Hyderabad.

Through:

  
Counsel for the petitioner

  
Petitioner

IN THE COURT OF THE 'MOTOR VEHICLE  
- ACCIDENTS CLAIMS TRIBUNAL CUM-  
X CHIEF JUDGE: CITY CIVIL COURT  
AT HYDERABAD

O.P.No. 8063 of 2018

Between:

K.Prahalad Goud

..Petitioner

A N D

OLA Fleet Technologies Pvt Ltd.,  
and others

..Respondents

CLAIM PETITION FOR COMPENSATION  
U/SEC.166 OF THE M.V.ACT.1988 AND  
RULE 475 OF A.P.MOTOR VEHICLE RULE  
1989 AND SEC.140(c) OF M.V.ACT.1988

Filed on: 15/9/2018

Filed By: Counsel for the petitioner

Address for service: Cell: 9848260446

M.RAJESH KHANNA  
Advocate  
(AP/2154/2006)  
H.No:16-2-146/14/3,  
Malakpet Palton, Hyderabad.