

United India Insurance Company Vs Renjith P.R.

Court: High Court Of Kerala

Date of Decision: Jan. 10, 2025

Hon'ble Judges: C. Pratheep Kumar, J

Bench: Single Bench

Advocate: Deepa George, T.K.Koshy, T.K.Biju, Sabu I.Koshy

Final Decision: Disposed Of

Judgement

C. Pratheep Kumar, J

1. This appeal is against the Award passed in O.P.(M.V.)No.1554/2010 on the file of the Motor Accident Claims Tribunal, Pathanamthitta on

4.1.2014. The petitioner in the OP(MV) is one Ranjith PR. The 1st respondent is K.A Abraham and the 2nd respondents is the Branch Manager,

United India Insurance Co. Ltd.

2. Today, when the matter was taken up for arguments, both counsel submit that the 1st respondent K.A. Abraham died long before the date of the

impugned Award. The learned counsel for the 2nd respondent/appellant herein would submit that the date of death of the 1st respondent was

9.5.2012. On the other hand, according to learned counsel for the 1st respondent, the date of death was on 11.12.2011. In any case, the impugned

Award passed against the 1st respondent on 4.1.2014 is a nullity being one passed against a dead person.

3. Therefore, the appeal is closed and the parties are directed to approach the Tribunal for necessary orders.

The learned counsel for the appellant submitted that they have already remitted the entire Award amount. Since this appeal itself is against the order

which is nullity, the amount deposited by the appellant is to be disbursed to the appellant