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YEAR – 4TH YEAR

**INSTITUTE – INSTITUTE OF LAW NIRMA
UNIVERSITY**

PROJECT TOPIC – “MOTOR VEHICLE ACT”

CASE NAME , CITATION, NAME OF THE JUDGES, SECTIONS APPLICABLE	ISSUES RAISED	JUDGEMENT	REASONS FOR THE JUDGEMENT	EXTRA COMMENTS / RATIO
Robert v The United Insurance company Limited, (1999)8SCC226, S.B. Majmudar, SEC 95 AND 110 A OF MV act 1939	1. Compensation 2. Appeal against reduced compensation 3. Whether appellant is liable to pay compensation? 4. What is the statutory liability of insurance company foisted on respondent?	This was an appeal wherein the amount of compensation was increased from 96500 to 150000.	The judgment was so given by taking into account the injuries suffered by the 15 year old boy which will have an impact on his life	
A. Sridhar v United India Insurance company ltd. And anrs., (2011)14SCC719, H.L. Dattu and G.S. Singhvi , SEC 140 AND 166 OF MV act 1988	1. Compensation 2. Whether No fault liability was applied? 3. Whether tribunal applied sec 166 and high court gave an order by section 144?	The tribunal granted a compensation of 160000 by sec 160 the high court reduced it to 25000 by sec 144, supreme court reaffirmed the judgment passed by the high court	The negligence was seen by the person driving due as the oil was spilled on the road so going by the insurance policy the claimant was not applicable for the compensation	While making an assessment, there is an element of guess work, but that guess work must have reasonable nexus to the available material/evidence and the quantification made.
A.P. State Road Transport Corporation v P V Rammohan Chaudhary and others, (1992)2SCC325, N.M. Kasliwal and K. Ramaswamy, SEC 68C ,	1. Whether non exemption of routes is discriminatory? 2. In exercise of power under Sub-section 2 of Section 68-D State	The judgment of the High Court was set aside and the writ for the same was permitted	Under section 68 C the laws can be framed, the government must come up with objective	Government in exercise of power under Section 68-D in Chapter IVA of Motor Vehicles Act, 1939 can approve a draft

68D , 68E of MV act 1939	Govt. approved scheme and excluded four routes is that applicable? 3. Section 68-C left choice to S.T.U. by which discrimination was discernible is it valid?		requirements for making a particular route favorable. It is now settled law that even on a partial overlapping approved scheme private operators have been totally prohibited to have corridor shelters and could no longer enter into the frozen area, route or part thereof and obtain permit to render transport service to the travelling public, in that case it does not offend article 14 of the constitution.	scheme for a particular route
A.P.S.R.T.C rep. by its chief law officer v M. Pentaiah Chary, (2007)13SCC625, S.B Sinha and H.S. Bedi, MV act - SEC 163, SEC 166	1. Whether compensation given by high court was based on its discretion? 2. Whether multiplier is applicable or not? 3. Whether discretionary jurisdiction can be used?	Appellant to bear the cost of respondent and rs.25000	The court cannot use its discretionary power as this case is not fit for it.	Minimum compensation payable should be considered from the sufferings of disability undergone by the victim.

<p>A.P.S.R.T.C v Reg Transport Authority, Ananthapur and anrs, (2009)3SCC436, Arijit Pasad and A. K. Ganguly, MV act - SEC 63(3)</p>	<p>1. Whether pucca stage carriers are permitted on town service road which was refused by R.T.A and allowed by State Transport Appellant Tribunal?</p>	<p>There was disturbance with the fact hence the case not properly analyzed was given to the STATS</p>	<p>This was so because the case is not so covered under section 68(3)(ca)</p>	
<p>A.P.S.R.T.C v Regional Transport Authority and Anrs, (2005)4SCC391, N. Santosh Hegde , K.G. Balakrishnan , D.M. Dharamdhikari , Arun Kumar and B.N. Srikrishna , MV act - 2(31), 2(38), 2(40), 88(8),99, 100, 102 , 103 , 104 , MV act 1939-63(3B) , 63 (6)</p>	<p>The scheme covers for mofussil services, provides for total exclusion of private operators, is it permissible to regional transport authorities to grant permits to private operators on notified area? Does the existing town service operating on the notified routes exclude new and fresh applicants?</p>	<p>Existing town service operators are eligible for permits for operating on notified routes. The judgment of high court is set aside.</p>	<p>This was so because the court did not find any ambiguity in the scheme which the high court found</p>	<p>The concept of purposive interpretation was used in this case</p>
<p>Abati Bezbaruah v Dy. Director General Geological Survey of India and Anr., (2003)3SCC148, S.B. Sinha and C.V. Vaidialingam, MV act 1988 sec 166, 168, 171</p>	<p>How will the compensation be evaluated? 2. What will be the multiplier?</p>	<p>The court took the multiplier to be of 9% structured formula is in schedule 2 of motor vehicle act</p>	<p>This was so because no where either in motor vehicle act or in cpc or workman's compensation act there is a mention of a rigid percentage on</p>	<p>Justice A R Lakshmanan said the compensation should be awarded on the basis of loss , suffering of the victim change in the economy etc.</p>

			which the compensation has to be calculated.	
Anna Transport Corporation Ltd. V Regional transport, Dharmपुरi and Ors, (1980)4SCC122, N.L.Untwalia, P.N. Singhal and V.D. Tulzapurkar , MV sec 57 (3) , 68, MV rules 155,	1. Whether application of renewal is valid? The high court had ordered to dispose the applications for renewal whereas the authorities granted the permit, is it valid?	The stay order on renewal application was vacated.	If, the period of operation of the permit of the respondents had expired after the publication of the scheme prepared under Section 68C but it was not so in this case.	if no approved or modified scheme has been published so far, the proper course for the Regional Transport Authority would be to keep the three renewal applications pending and not to treat them as dismissed
Abdul Hai Khan v Subhas Chandra Ghosh and ors. , (2002)4SCC519, D.P.Mohapatra and Brijesh Kumar, MV 1939, 47, 68(C), 68(D) , MV act 1988	Whether the scheme to grant exclusion on nationalized route is a scheme of partial exclusion.	The relief was declined.	There is no monopoly so it is upon the authorities to decide whether the permit should be issued or not. When neither the private operators who are alleged to have got the permits in excess of the number specified in the Notification nor the State Undertaking have been impeded as parties	
Abhay Singh V State of	1. Whether imposing	1. Motor vehicles	Violation of article	

<p>Uttar Pradesh, AIR2014SC427, G.S. Singhvi and C. Nagappan, MV ACT 1988- 6, 69 (B), 69(1), 109, 110,110(1),111, MV ACT 1939 - 70</p>	<p>a punishment on the violators who are using red lights and multi toned horns will be applicable or will the rules be amended?</p>	<p>carrying high dignitaries can use red lights without flashers only while they are on duty 2. No motor vehicle expect the once which have been specified In rule 119(3) of 1989 rules 3. The people who need emergency access can use white, blue or multicolored lights 3. An order was given to the police to get all the multi toned horns and flash lights removed except the once in the appropriate section 4.</p>	<p>14 of the constitution.</p>	
<p>Achyut Shivram Gokhale v Regional Transport officer and ors. , AIR1988SC2047, M.M. Dutt and E.S. Venkataramiah, MV Act 1939 - sec 49 , 51, 58(1), 58(2), 63(1),63 (6), 68(D)</p>	<p>1. It is the right of a person to obtain a special permit to ply public service vehicle on the routes, which have a scheme of providing exclusive operations.</p>	<p>The write cannot be directed as the special permit has expired, the scheme provided for exclusive monopoly to operate contract</p>		

		carriages.		
Adarsh Travels Bus service and Anrs. V State of U.P. and Ors. , (1985)4SCC557, O. Chinnahppa Reddy, E.S.. Venkataramiah, V. Balakrishna Eradi, R.B. Mishra and V. Khalid, MV act - 2(28A), 68B, 68C, 68D, 68 FF	1. If a route has been notified and it is prohibited to ply a vehicle then plying on a part of the vehicle will be allowed or not?	The operators were vacated.	Since none of the schemes placed before us contain any saving clause in favor of operators plying or wanting to ply stage carriages on common sectors. There was a clause "No person other than the State Government Undertaking will be permitted to provide road transport services on the routes specified in paragraph 2 or any part thereof.	
Adikanda Sethi v through Lrs. And Anr. V Palani Swami Saran Transport and Anr., (1997)5SCC435, K. Ramamswamy and K.S.Paripoornan, MV act 1939 - 110A	Can the multiplier be increased from what it has been notified?	The court granted a sum of 140000 as compensation and multiplier up to 18yrs in case of a young person.	Court cannot use a higher multiplier that what it is.	Court cannot use a higher multiplier that what it is given in the act.
Ajantha Transports (P) Ltd. , Coimbatore v T.V.K. transports, Pullampatti , Coimbatore district,	1. Should the fitness certificate be granted? 2. Whether distribution of permit	The state transport corporation was asked to reconsider the	The decision of granting permits must rest on facts and circumstances.	

<p>(1995)1SCC55, H.R. Khanna , M. Hameedullah Beg and V.R. Krishna Iyer, MV act 1939 - section 47, 47 (1) , 68C</p>	<p>is valid?</p>	<p>claim. The high court's order of granting the fitness certificate was quashed. The fact that the state transport authorities should not have taken into account the grant of recent permits into account while allocation was upheld.</p>	<p>The grant of permit must be on the biases of public interest and article 14 and 19 which needs a reconciliation of general and public interest.</p>	
<p>Alister Anthony Pareiar v State of Maharashtra, (2012)2SCC648, R.M Lodha and J.S. Khehar, MV act 1988 - sec 185</p>	<p>Will rash and negligent driving amount to culpable homicide not amounting to murder?</p>	<p>The court was unsatisfied with the sentence that is three years and convicted quashed the bail in consonance with that asked the court for the 850000 which it had taken as compensation and to be given to the families. He was convicted under section 304 part II of the IPC.</p>	<p>The sentence was not extended as there was no appeal by the state for it. The person was not given the maximum sentence in this case because of his circumstances but was not left on probation as it would lead to miscarriage of justice. The court came to the conclusion and applied section 304</p>	

			Part II because the driver was drunk and during evidence there are marks of the break in such case he was in full knowledge of his act.	
Alka Ojha v Rajasthan Public Service Commission and Anr. , AIR2011SC3547, G.S. Singhvi and H.L. Dattu, MV act 1988 - 2(10), 2(19), 3, 4,7,7(3), 7(5),8,8(1),8(5), 8(6),9,9(1), 9(4), 9(5), 9(6), 9(7), 10, 12 , 18, 75(2)	Whether the motor vehicle inspector is eligible to continue with his service after reversal of order and guidelines mentioned by Division bench and High court.	They were allowed to participate in the process of fresh selection by providing relaxation in age and directed the Commission to complete the process of fresh selection within three months. The Division Bench also directed that for a period of three months status quo shall be maintained with regard to those who are in service. It is sufficient to observe that there is No. provision in	The Commission has not completed the process of selection for fresh recruitment of Motor Vehicle Sub-Inspectors, we direct the Commission to do the needful within a period of next 4 months. Till then, the Petitioners shall be allowed to continue in service.	A candidate who did not possess requisite qualification on last date fixed for submission of application was not eligible to be considered for selection.

		the Rules under which the Commission or the State Government can regularize the appointment of a person, who was not eligible to compete for selection.		
Amrit Lal Soodh and anrs. V Smt Kaushalaya Devi Thapar, (1998)3SCC744 , M.M. Punchhi, K.T. Thomas and M. Srinivasan , MV act 1939 - 94, 95,96	Whether the insurer of the person who was negligent in driving is liable to pay the damages to the gratuitous passenger?	It was held that the insurer was liable to meet the claim.	It depended on the contract between the insurer and the insured.	
Arun Kumar Agarwal and Anrs. v National Insurance Company and ors., (2010)9SCC218, A.K.Ganguly and G.S. Singhvi , MV act 1988 - 140, 104(3), 140(5), 163A , 163A(1), 163A(2), 163B, 165A, 166, MV act 1939 - 110A, 110B	Whether the computation of a woman's death could be computed less if she is not an only member of the house?	The compensation was granted as 6 lakh and the judgment of the lower courts was held to be erroneous.	Unpaid care work is the foundation of human experience.	While determining compensation payable to the dependents of a deceased wife/mother, who does not have regular income, comparison of her gratuitous services with that of a housekeeper or a servant or an employee, who works for a fixed period, is highly unfair, unjust and inappropriate.

Arvind Kumar Mishra v New India Insurance co. Ltd and Anr., Aftab Alam and R.M. Lodha , MV Act 1988 - 163A , 166	Whether the court will increase the victim's compensation from 300000 to 960000?	The court increased the compensation and found the high court judgment as erroneous as it didn't take into consideration the future of the victim.	Compensation must be given considering facts and circumstances of the case.	
Asha Verma and ors. v Maharaj Singh and Ors., 2015ACJ1286, V.Gopala Gowda and C. Nagappan, MV act 1988 - 166	The amount of compensation was the contention raised.	The court granted 1658600 as compensation	The previous judgment was held erroneous due to wrong computation of the monthly income of the victim	
Ashok Gangadhar Maratha v Oriental Insurance Co. Ltd., (1999)6SCC620, S. Shahir Ahmad , D.P. Wadhwa, MV act 1988 - 3 , 75(2), 77,78,79, MV act 1989 rule 3	Whether the insurance company should give the required compensation to the insurer?	The court set aside the order of National commission for redressal and granted the order that the insurer should get the amount.	The question in the case was whether the driver had a valid license. To this the driver was driving a non transport vehicle without goods which was a light vehicle which made the license valid and hence was necessary to give the compensation.	
Aushutosh Swain and ors. v	Whether there should	The court held	The court quashed	

<p>State Transport Authority and ors., (1985)2SCC636, A.N Sen and D.A. Desai , MV act 1939 - 49, 63(7)</p>	<p>be a grant of all India permit to the appellant?</p>	<p>that for a valid all India permit it is necessary for the person to have a pre existing contract carriage permit which can subsequently be the all India Tourist permit. Although all over India no further endorsements will be necessary.</p>	<p>the writ because of the following issues i.e. Firstly, it was not necessary that the applicants for an all-India tourist permit must have a pre-existing contract carriage permit which alone could be endorsed so as to convert it into an all-India tourist permit. Secondly, the applications of the appellants for all relevant information were complete and the blanks were irrelevant. Lastly, absolutely no application to the proceedings of the State Transport Authority held for consideration of applications for all-India tourist permit and granting them to the appellants.</p>	
<p>B.K.Singhai v UOI,</p>	<p>Whether the claimant</p>	<p>. The claimant</p>	<p>The claimant was</p>	

(2004)13SCC700, D.M.Dharmadhikari and A.K.Mathur, MV act 1988 - sec 166(2)	should be allowed to file a new claim?	was allowed.	crippled so he was allowed.	
Association of Registration Plates v UOI, (2004)5SCC364, S. Rajendra Babu and G.P.Mathur, MV act 1988 - 2, 2(21A), 2(28), 2(32), 3, 4, 10,39,41,41(6), 50, 64, 109, 109(1),109(2),109(3),212	Whether the government should give a particular person a tender to make the number plates of with the prescribed format for the government vehicles?	The case is in appeal to a larger bench as the bench was not in confirmation with the judgment	The counsel pleaded for violation of article 19 although Ranjendra babu was also not satisfied with judgment.	
Avishek Goenka v UOI , (2012)5SCC321, S. H. Kapadia, A.K. Patnaik, Swatentar Kumar, MV act 1939, MV act 1988 - 52, 53	Whether black glass films should be prohibited or not?	The use of black films was prohibited.	The use of black film was prohibited because it is said to be used by the criminal, cause accidents, for luxury and convince. The once who contend that it is for security cannot be said so as it has not been notified by Home Ministry or the Police	Impalement and modification of Application can be granted after properly applying provision of law.
B.A. Jayram and ors. v UOI and D.P. Sharma and ors. v UOI, (1984)1SCC168, D.A.Desai and O. Chinnappa Reddy, MV act	Whether granting exemptions to vehicles which were registered in the other state and working in	The writs were quashed and the exemptions were still given.	It was because Motor Vehicle act was formulated to increase the interstate trade	

- 63(7)	some other state on all India permit is justified as specified under section 63(7) of motor vehicle act?		commerce and movement so through this it is able to fulfill the act's objective.	
B.Kothandapani v Tamil Nadu State Transport corporation Ltd., (2011)2SCC(Cri)1002, P. Sathasivam and Balbir Singh Chauhan , MV act 1939 - 110B and MV act 1988 - sec 168(1)	Whether the appellant is entitled to extra 100000 as compensation under the head of permanent disability?	The court was justified in granting 150000 under the head of permanent disability and in total 500000 after disposing two doctors which gave a certificate of permanent disability.	Court shall grant compensation of claimant on proper scrutiny of facts and circumstances of case which was not done previously.	Court shall grant compensation of claimant on proper scrutiny of facts and circumstances of case.
B. Rajgopala Naidu v State Transport Appellate Tribunal and Ors., AIR1964SC1573, P.B.Gajendragadkar, J.C. Shah, K.N. Wanchoo, N. Rajagopala Ayyangar and S.M.Sikri, MV act 1939 - 43 A	Whether an appeal must be held and a writ to change the permit should be granted?	The writ of certiorari was granted.	It was on the biases that the earlier order which was granted was impugned and so the appeal was also allowed.	
B.H. Aswathanarayan and ors. v State of Mysore and ors., AIR1965SC1848, J.R. Mudholkar , J.C. Shah, K.N.Wanchoo, S.M.Sikri and P.B.Gajendragadkar, MV act 1939 - 68 C , 68 D ,	Whether the state can put restrictions on minimum and maximum number of transportation vehicles on a particular route under	The court allowed this.	This was allowed under section 68C.	

68 E	nationalization scheme?			
Balbir Kaur and Ors v New Assurance Company Ltd. And ors., (2009)13SCC370, S.B.Sinha and P. Sathasivam, MV act 1988 - 146,147,147(1), 147(5), 166	Insurance company or the owner of the vehicle should pay the diseased?	The insurance company did not have to pay the compensation but the driver and owner of the vehicle had to.	The amount which was withdrawn was paid back. The compensation was not paid by the company because the person insured had not paid the premium in a regular manner in a given time.	The insurance company cannot issue a policy unilaterally from a future date without the consent of the holder of a policy.
Basappa v State of Karnataka, (2014)5SCC154, Sudhanshu Joshi Mukhopadhyaya and Kurian Joseph, MV act 1988 - 132(1), 133, 134, 187, 196, 197	Whether a 2nd view which has been taken by the trail court should sustain which would lead to the acquittal of the driver or the view of the high court?	In this case the court acquitted the driver of section 187 of MV act which deals with racing and speeding and allowed the appeal for 304 A of IPC.	The judgment was so because after appreciating the evidence the trial court took a different look which was logical and could have happened as contended by the High Court. The evidences could not prove that the accused was driving the vehicle.	
Association of Registration Plates v UOI, (2005)1SCC679, Y.K. Sambarwal, D.M. Dharmadhikari and Traun	Whether the tender to be given to NITs and a particular firm to make a high security number plate leads to	The petition was quashed as it was not proved through evidence that it is tailor	This can be done as it is executive power or the central government company existing	

Chatterjee	violation of the article 14 and 19 as it aims to establish a monopoly?	made and monopolizes.	with legislative power.	
Basappa v T. Ramesh, (2014)10SCC789, Jasti Chemleshwar and Arjan Kumar Sikri , MV act 1988-166	Whether the compensation should be enhanced taking into account 58% of disability and other factors?	The compensation was enhanced to 672000.	This compensation was enhanced by taking into account 58% of disability, his nature of job and his age. Multiplier used in this case is 14.	
Bhagyalakshmi and ors. V United Insurance Co Ltd. And Anrs. Etc, (2009)7SCC148, S.B.Sinah and Mukundkam Sharma, MV act 1988 - 2,2(1),2(35),3,95,95(2),147, 166, MV act 1939 - sec 2(25), 95(1), 64 UC	Whether the insurance policy covered the risk of travelling in the car?	The matter was passed to a larger bench.	Liability of an insurance company travelling in a private car arises for the consideration in the appeal. The liability of a passenger in a private vehicle must also be included in the policy in terms of the provisions of the 1988 Act.	
Baskra Beas Management Board v Smt. Kanta Agarwal and ors., (2008)11SCC366, P.Sathasivam and Arijit Pasayat , MV act 1988 - 95	Whether the compensation given to the widow of the diseased should be increased taking into account the condition	The compensation given to the claimant was considered to be higher i.e. 848169 and so the final	The judgment was so because it has been 14 yr since the husband has his accident and already a	The general rule in regard to the assessment of damages is that any benefit accruing to a dependant by reason

, 110 , 116	of the widow?	compensation decided by the court was 500000 which was earlier deposited.	compassionate employment and residence has been provided to the defendant, sending the case for reconsideration after 14 yrs become useless so the court came to such a judgment.	of the relevant death must be taken into account
Bhuwan Singh v Oriental Insurance Company Ltd. And Anrs, (2009)5SCC136, S.B.Sinah and Mukundkam Sharma, MV act 1988 - 3, 15(1), 149,149 (2)	Whether the insurer is liable to pay for the damages to the appellant caused when he was no appropriately licensed?	The Insurance company was not liable to give the compensation.	The judgment was so because the accused didn't hold a valid license on the date of accident.	
Bihar state Road Transportation Company v State Transport Appellant Tribunal and ors, (1991)2SCC418, M.M. Punchi and K. Ramaswamy, MV act 1939 - 2(28A), 68D, 68D(3)	Whether plying of vehicle on a part of nationalized route is permissible or not?	The court was of the view that the vehicles can apply but they cannot pick or drop the passengers there. The state government can take steps to make transportation for public convenient.		
Bimla Devi and ors. v Himachal Road Corporation and ors., (2009)13SCC530, P.	Whether the court is bound by the pleadings of the parties?	The appeal was allowed, the court found the claim of bus driver not	Claimants to establish their case of occurrence of accident on the	Claimants to establish their case of occurrence of accident on the

Sathashivam and S.B.Sinah, MV act 1988 - 166		based on reasonable doubt.	touchstone of preponderance of probability and not on standard of proof beyond reasonable doubt which was not done in this case.	touchstone of preponderance of probability and not on standard of proof beyond reasonable doubt.
Bishan Devi and Anrs. V Sirbaksh Singh and ors. , (1980)1SCC273, A.C.Gupta and P.S.Kailasam , MV act 1939 - 95, 96(2)	Whether Sribaksh Singh was driving the vehicle or not?	The court said that he was driving the vehicle and for more compensation the dependant has to approach the Motor accident claims tribunal.	This was so because Sribaksh Singh had no filed a police complaint and from the evidence it was not clear that any frivolous person was driving.	
Bolani ores ltd. V state of Orissa, (1974)2SCC777, M.Hameedullah Beg, A.Algiriswami and P. Jagmohan Reddy, MV act 1939 - 2 (18)	Whether dumper, rockers and tractors come under motor vehicle?	These are motor vehicles.	These are motor vehicles as they damage the road while working. But in this case it is not taxable as it is working inside the mining area where entrance is not allowed, the area is private property.	
Bose Abraham etc. v State of Kerela and Anr., (2001)3SCC157, S. Rajender Babu and	Whether excavators and road rollers are suppose to be taxed as they fall under motor	These excavators and road rollers are a part of motor vehicle act.	Just because it is a vehicle used for specific purpose used in an enclosed	Collection of tax on entry of any motor vehicle into local area for use or

<p>Y.K.Sabharwal, MV act 1988 - 2(28)</p>	<p>vehicle act?</p>		<p>area doesn't make it unsuitable for road. Hence it is under motor vehicles act.</p>	<p>sale is liable for registration at such rate as may be fixed by Government.</p>
<p>Brij Mohan Parihar v M.P.State Road Transportation Corporation and ors and Shivanarain and ors. v State of Madhya Pradesh, (1987)1SCC13, E.S.Venkataramiah and M.M.Dutta, MV act 1939 - 42,59,68</p>	<p>Whether the petitioner should be allowed to ply his motor nominee of corporation for 5 years?</p>	<p>In the said question the court allowed the plying of corporation's own vehicle on the route.</p>	<p>The court did that under the prescribed rules. The court also suggested that the scheme could be scrapped under the specified rule but as the petitioner had not prayed for it to get it done they should approach the high court.</p>	<p>The Corporation cannot, thus, indirectly clutch at jurisdiction of Regional Transport Authority.</p>
<p>Brijendra Kumar Chaudhari and anr. V state of U.P. and ors., (1992)4SCC703, S. Ganganathan , V. Ramaswami and Yogeshwar Dayal, MV act 1988 - 2(7), 2(22), 2(25), 2(26), 2(29), 2(47), 88(8), MV act 1939 - 2(15),2(18A), 2(29), 63(6)</p>	<p>Whether contract carriage permit holders of mini buses entitled to pick up individual passengers at starting point of their journey?</p>	<p>They are entitled to pick and drop until and unless they don't stop in the middle.</p>	<p>Definition of mini bus is defined in U.P.state transportation act. The definition of Maxi cab has been defined differently to what it was previously in the act. The exception also is applicable only where the motor cab is under its permit or under</p>	

			any law entitled or eligible to charge separate fares from its passengers. The grant of contract carriage permit in respect of a motor cab will automatically attract all the conditions provided in the main part of the section.	
C.P.Sikh Regular Motor Service and Ors. v the state of Maharashtra and ors., (1974)2SCC579, A.N. Ray, K.K.Mathew and V.R.Krishna Iyer, MV act 1939 - 2(1), 68C	Challenged 68C of MV act 1939?	The court thinks that there is no factual foundation for the contention. The approved scheme specifies the minimum and maximum number of vehicles to be put on a route as also the minimum and maximum trips in respect of each route.	The 'area' in relation to any provision of this Act, means such area as the State Government may, having regard to the requirements of that provision, specify by notification in the Official Gazette.	
Captain Sube Singh and Ors. v Lt. Governor of Delhi and ors., (2004)6SCC440, R.C.Lahoti , B.N.	Whether imposition of increase in service tax is violation of right to trade and business and is ultra	The court held 1. Order by the government valid 2. Paragraph 3(b) was considered	Sudden discontinuation of the concessional passes would seriously affect the	

<p>Srikrishna and G.P.Mathur , MV act 1988 - 2(12), 66 , 67 , 67(1), 69,70, 71, 72, 72(2), 92(2)</p>	<p>vires to the powers of the state government? Whether contention of appellants that paragraph 3(b) of notification providing all DTC passes would be applicable to all private stage carriages was illegal?</p>	<p>illegal 3. The appellant agreed to use concessional passes 4. The respondents shall lawfully bring forth an appropriate scheme to provide relief to the students concessional pass holders of DTC, within a period of four months from today</p>	<p>commuters, particularly student's community, holding a large number of concessional passes issued by the DTC.</p>	
<p>Chairman Rajasthan State Road Transport Corporation and Ors. v Smt. Santosh and ors., (2013)7SCC94, B.S.Chauhan and F.M. Ibrahim Kalifulla, MV act 1988 - 2, 2(2), 2(14), 2(28), 2(34), 2(44), 2(46), 2(47), 3, 4, 5,6, 10, 10(2), 56,59, 61(2), 66(2), 61(3),66 , 67, 112, 133, 146,</p>	<p>Whether 'jugaad' is motor vehicle under Section 2(28)? Whether a particular vehicle can be defined as motor vehicle in terms of Section 2(28) of the Act? Whether the driver of 'Jugaad' must compulsorily have a driving license?</p>	<p>Jugaad is a motor vehicle as per the motor vehicle act. The driver of Jugaad does not require an permit and is not liable to pay any road tax or have any license.</p>	<p>A vehicle which is not adapted for use upon the road, is only to be excluded dumper, tractor etc are a part of motor vehicle. In case the vehicle is seized by the police it can be released either by the magistrate or the authorities. Taking into account the number of accidents caused by the jugaads the</p>	<p>'Jugaad' is required to be insured and registered before it is permitted to ply on the road. Any vehicle which is mechanically propelled and adapted for use upon roads and does not fall within the exceptions provided is a Motor Vehicle. 'Jugaad' does not require the permit, insurance or a driving license for its driver. There is no</p>

			<p>statutory authorities must ensure that 'Jugaad' can be plied only after meeting the requirements of the Act. It is open to the statutory authorities to make exemptions by issuing a notification/circular specifically if such a vehicle is exclusively used for agricultural purposes but for that sufficient specifications have to be provided so that it cannot be used for commercial purposes.</p>	<p>specification for its body. It does not require fitness certificate. However, passenger vehicle has an upper limit of number of passengers it can carry. The same remains the position for the goods vehicle as there is a specification for the maximum load it can carry. The 'Jugaad' is not liable to pay any passenger or road tax like other vehicles.</p>
<p>Chairman, thiruvalluvar transport corporation v consumer protection council, (1995)2SCC479, A.M.Ahmadi and S. Mohan, MV act 1988 - 168, 175</p>	<p>Whether National Consumer Disputes Redressal Commission under Section 20 had jurisdiction to adjudicate upon claim for compensation arising out</p>	<p>Claims tribunal had jurisdiction under section 165 but National Commission did not have jurisdiction.</p>		

	of motor vehicle accident?			
Chandigarh Administration and Ors. v Namit Kumar and Ors., (2004)8SCC446, Arijit Pasayat and P.P.Naolekar, MV act 1939 - 85A, MV act 1988 - 66, 66(3), 129	The petition was filed for immense air, noise pollution, traffic congestion, unsystematic functioning of various authorities, and increase in number of vehicular accident resulting from absence of proper traffic control. Direction of parking charges challenged on the grounds of difficulty in fixing the parking charges. Challenged the rule wherein Sikh woman were exempted from wearing helmets. Challenged the directions to use black films.	Chandigarh Administration to fix the quantum of parking charges taking into account all relevant factors. The others were on state authorities.	Directed that the concerned authorities shall provide parking space and properly utilize the existing space in and around the commercial and public places. Additionally, it was directed that any person who enjoys the parking facilities should be charged keeping in view the period for which such vehicle was parked in the prescribed parking area	
Chandra Kanta Sinah v Oriental Insurance Company Ltd. & Ors., (2001)6SCC158, S.S.M.Quadri and Y.K.Sabharwal, MV act 1988 – 140	Whether the claim awarded has been awarded sufficiently?	The 50000 compensation was upheld.		

<p>Chinnama George & Ors. v N.K.Raju & anrs., (2000)4SCC130, D.P.Wadhwa and D.P. Mohapatra, MV act 1988 - 146, 147, 149, 163 A , 173</p>	<p>Whether there is a right with the insurer to file a claim in the court?</p>	<p>He cannot claim for a right.</p>	<p>This is so because the insurer has no right because he is not aggrieved neither is the driver aggrieved. The insurer can claim to exemption under section 149 of motor vehicle act. The harmonious reading of section 147, 149 and 173 deals with the fact that insurer cannot do away with the liability.</p>	
<p>D. Nataraja Mudaliar v The state transport authority, Madras, (1978)4SCC290, D.A. Desai and V.R.Krishna Iyer, MV act 1939 - 58,64</p>	<p>Whether appellant was entitled to renew the permit?</p>	<p>The court set aside the order of refusal to renew the permit.</p>	<p>This was so because the court saw breach of natural justice, fundamental rights were also involved and there is importation of non material, unawareness of facts and the reason to give such order was untenable by the court. So it passed an order to reconsider within</p>	<p>Authority shall not pass order of refusal of renewal of permit without awareness of essential facts.</p>

			two weeks to the state authorities.	
D.Papiah v Mysore State Transport Appellate Tribunal and Ors., (1976)1SCC953, A.C. Gupta, S.Murtaza Fazal Ali and V.R.Krishna Iyer, MV act 1939 - 2, 2(1), 2(3), 2(18), 2(24), 2(25), 2(28A), 2(33), 42, 44(1), 45, 45(1), 49, 63	Whether contract carriage could be used in places which are not really roads? Is contract carriage being motor vehicle intended for use upon roads?	. The court said that the state must clarify the laws which have been made. Regional Transport Authority, Mandya has jurisdiction to issue permits. The order granted to use motor vehicle on roads all over Karnataka was quashed.	The tribunal had no jurisdiction to reward permit for the whole place.	
D.M.Thippeswamy v The Mysore Appalet Tribunal, Banglore and ors., (1973)2SCC118, A.N. Grover, G.K. Mitter and K.S. Hegde, MV act 1939, sec 68	Whether appellant who is not an existing permit holder is allowed to ply on the route?	The Revenue Appellate Authority was supposed to cancel the permit in accordance to the scheme.	This was due to the scheme which could be changed only by the legislature.	No Appeal is liable to be allowed on a purely technical ground if that course shall not give any relief to Appellant.
Gottumukkala Appala Narasimah Raju and Ors. v National Insurance Co. Ltd. and Anr., (2008)2SCC(LS)662, Markandey Katju , S.B. Sinah, MV act 1988 - 140, 140(1), 143, 147, 147(2), 149, 149(2), 166, 167	Whether the deceased would be entitled to compensation?	There does not exist any bar in the Workman Compensation Act. It was held that the question of payment of compensation was to be decided in	The court interpreted section 19(1) of Workman's compensation act.	Only because Section 143 and 167 of the Motor Vehicles Act, 1988 refer to the provisions of the 1923 Act, the same by itself would not mean that the provisions of the 1988 Act, proprio

		the same and not by the way of a separate suit.		vigore would apply in regard to a proceeding for payment under the Workmen's Compensation Act, 1923.
Government of A.P. v Road Rollers Owners Welfare Association and Ors., (2004)6SCC210, H.K.Sema and S.N. Variava, MV act 1988 - 2(21), 2(28)	Whether tax will be applicable on road rollers?	The court said that the tax on road rollers have to be imposed.	The court took into account Bose v Abhram. This was held because road roller is not used for off road only it is used on road as well so it qualifies to be a motor vehicle.	
Gujrat State Road Transportation Corporation, Ahmedabad v Ramanbhai Prabhatbhai and Anrs., (1987)3SCC234, E.S. Venkataramiah and K.N.Singh, MV act 1939 - 110A, 110A(1), 110B, 110F	Whether brother of deceased can claim compensation in proceedings?	The court took the view that the brother is entitled to get the compensation.	The court took that view taking into account the principles of justice, equality and good conscience. It also took into account the Indian society.	
Guru Govenkar v Miss. Filomena F. Lobo and Ors., (1988)3SCC1, E.S. Venkataramiah and N.D. Ojha, MV act 1939 - 94, 94(1), 95(2), 96(1), 125	Whether the insurer is liable to pay the third party the required compensation when the vehicle is in repair?	The court held that the compensation has to be paid. The compensation to be paid is Rs. 90000	The court took that view because the claimant has suffered injuries on collision of car due to negligence, if the compensation was not granted it	

			would defeat the purpose of the insurance policy.	
HDFC Bank Ltd. v Kumari Reshma, (2015)3SCC679, Dipak Misra, Rohintan Nariman and U.U. Lalit, MV act 1988 - 2(3), 2(29), 2(30), 42, 50, 103, 103(1A), 146, 147, 149, 168, MV act 1939- 2(19)	Whether appellant was liable to satisfy the compensation?	It was held that it is the owner's liability to pay the compensation.	The owner's had the liability because the owner had a hypothecation agreement has been treated as owner. The insurer has to indemnify unless there is violation of the policy. As the appellant did not pay the insurance amount while buying the vehicle so the insurance policy terms is not valid.	
Hardev Motor Transport v State of M.P. and ors., (2006)8SCC613, S.B. Sinah, Dalveer Bhandari, MV act 1988 - 2(7), 2(31), 2(40), 2(43), 66, 66(1), 66(3), 71,72, 72(1), 74, 74(2), 88(9), 130(4), 192A, 192A(1), 192(3), 192A(8)	Madhya Pradesh Motoryan Sanshodhan Adhinyam 2004 schedule 1 is constitutional?	Madhya Pradesh Motoryan Sanshodhan Adhinyam 2004 first schedule explanation 7 was declared unconstitutional.	The state act is repugnant to central act. Tax can be levied on motor vehicle kept in state; the tax may vary on the nature. Compensatory tax is not progressive in nature. If a permit has been granted, the holder	If the vehicles do not use the roads, notwithstanding that they are registered under the Act they cannot be taxed, If a vehicle is roadworthy and can be plied on a road, a tax may be imposed, but if a vehicle is not capable of being plied on the

			of a permit is liable to comply with the conditions of permit, if he violates the terms and conditions of permit law will take its own course. The executive while fixing a rate of duty cannot be permitted to usurp the legislative power and make a provision which would be inconsistent with the substantive provision of the statute	road, no tax would be levied.
Harman Singh and ors. v Regional Transport Authority, Calcutta and ors., AIR1954SC190, M. Patanjali Shastri , B. Jagannadhadas, Gulam Hasan , M.C. Mahajan and Sudhi Ranjan Das, MV act	Whether the notification released on difference between the taxes to be paid on different kind of motor vehicles is a violation of article 14 and 19(1) of Constitution of India?	It was held that the disparity is not violation of 19(1) and 14.	Under the Motor Vehicles Act it is in the discretion of the Regional Transport Authority to issue permits at different rates of tariff to different classes of vehicles plying in the streets of Calcutta and if that	

			power is exercised in a bona fide manner by the Regional Transport Authority for the benefit of the citizens of Calcutta. This does not give monopoly to anyone hence everyone has the right to carry on their trade and practices hence it is not a violation of article 19(1).	
Indrani Raja Durani and ors. v Madras motor & General Insurance Company and ors., (1996)2SCC157, K. Ramaswamy and G.B. Patnaik, MV act 1939 - 110B, 110CC	Whether compensation should be granted or not?	The appellant are entitled to recover the amount from the insurance company and the balance from the owner.	As the appellant and respondent both had to keep a duty of care so 60000 has to be paid by respondent 40000 will be foregone by the appellant.	
Ishwar Chandra and ors. v The oriental Insurance co. ltd. and ors., (2007)10SCC650, Markandey Katju and S.B. Sinah, MV act 1988 - 2, 3, 10, 10(2), 14, 15, 15(1), 19, 20, 21, 22 , 23, 24, 166	Whether technical breach amounts to nonpayment of compensation amount for the insurer?	The insurer is not liable to avoid his liability for technical breach.		Insurance Renewal of driving licenses - On the date of the accident, the renewal application had not been filed, the driver, did not have a valid license.

<p>Ishwar Singh Bagga and ors. v State of Rajasthan, (1987)1SCC101, M.M. Dutt and E. S. Venkataramiah, MV act 1939 - 68C, 129A, 133A</p>	<p>Whether Deputy General Manager Traffic, the assistant deputy manager and traffic inspector would be asked to discharge powers under section 129A of the MV act by the state government?</p>	<p>They could not have been authorized by the state government to discharge their power under section 129 A of the MV act 1939 so the notification failed.</p>	<p>The notification was said to be impugned and it was said that if the police officers and the officers of the department carry out their duties with due diligence and properly then there will be no difficulty.</p>	
<p>Ismail v Police Inspector, Hospet, 2013(1)RCR(Criminal)826, P. Sathashivam and Jasti Chelameswar, MV act 1988 - 187</p>	<p>Whether the appellant was rightly convicted under section 279, 337, 338, 304A IPC and 187 MV act 1988?</p>	<p>The sentence was reduced.</p>	<p>The court held took into account the medical condition of the accused and his age. It was held in sense of justice that reducing the sentence will be sufficient.</p>	
<p>Jai Praksh v National Insurance Co. Ltd. And ors., (2010)2SCC607, R.V. Raveendran , Mukundan Sharma and K.S. Panicker Radhakrishnan, MV act 1988 - 140, 146, 158, 158(6), 161, 161(1), 166(4), 168, 169, 170, 196</p>	<p>What has to be done with the victim who do not get compensation in an accident, practice of goods vehicle for the transport of passenger traffic, procedural delay and the full compensation does not reach the victim?</p>	<p>Court laid down a few directions (i) for DGP were to adhere to section 158(6), (ii) the registrar of claims tribunal had to register all the accident claims and initiate an enquiry. (iii) for the insurance</p>		

		<p>company was that in case of death compensation to be granted as it is not disputed and in case of accident the treatment should be offered to the victim by the insurer without court's order, (iv) for victims special schemes may be considered by nationalized banks and insurance company (v) the insurance company might look into giving annuity instead of lump sum compensation (vi) a scheme of insurance may be started for every vehicle sold (vii) large trauma centers and first aid must be given to the victims in</p>		
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		emergency (viii) when there is an accident the owner should deposited the required money early		
Josphine James v United India Insurance Company Ltd. and Anrs., 2013(10)SCALE340, G.S.Singhvi and V.Gopal Gowda, MV act 1988 - 149(2), 170, 173	Whether the compensation given is sufficient?	The court held that the court made an error while reducing the compensation finally the compensation granted was 1360000 taking into account multiplier 9.	This was said so because the insurance company was contesting the case without a relevant reason.	
K. Nandakumar v Managing director, Thantal Periyar Transport Corpn., (1996)2SCC736, S.P. Barucha and S.B. Majumdar, MV act 1939 - 22A, 92A	Whether the appellant liable for compensation?	Court said that appellant liable for compensation.	This was held under section 92 A which says even if there is a fault of negligent person if that person has a permanent injury then he is entitled for compensation.	
K. Venkamma v The government of Andhra Pradesh and ors., (1977)3SCC36, Jaswant Singh and V.R. Krishna Iyer, MV act 1939 - 63(1),	Whether a route, whose termini lie within the same State but which traverses in its course one or more other States, be	The nationalization of the route between Nellore - Rampur could not take place.	The court gave the following judgment (a) the route Nellore-Ramapuram is an inter-State route;	

68D(3)	designated as inter-State route?		(b) the scheme of nationalization is operative even in the absence of the previous approval of the Central Government (c) the nationalization cannot become effective over the tiny strip in Tamil Nadu and private operators may still be permitted to ply their services over that strip by the concerned authority within Tamil Nadu State but (d) the Andhra Pradesh State Transport Corporation may ply its buses over the Tamil Nadu enclave even without counter-signature. Sec 63A of the MV act 2nd proviso secures 16km of intersection as allowed whereas in	
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			this case it is only 8 km.	
K.M. Chikkaputtaswamy and Ors. v State of Andhra Pradesh and ors., (1985)3SCC387, A.N. Sen and E. S. Venkatarmiah, MV act 1939 - 63(3)	Whether appellant can claim for exemption or cancel the tax under the notified act?	It was held that tax can be exempted or cancelled.	This was held so taking into account section 9(1) of AP MV act. It is not shown that before March 2, 1970 when Sub-section (3-A) of Section 63 of the Motor Vehicles Act, 1939 came into force any inter-State agreement concluded by both the State Governments on the lines of the conclusions arrived at by the Home Secretaries had come into existence.	
K.M. Viswanatha Pillai v K.M. Shanmugan Pillai, (1969)1SCC188, K.S. Hegde and S.M. Sikri, MV act 1939 - 4(2)(1), 42(1), 60(1)	Whether the transaction classified as benami transaction will fall under it and the permit will not be issued?	The claim for the 5th bus was not put forth.	Nothing in the Act which expressly or by implication bars Benami transactions or persons owning buses Benami and applying for	

			permits on that basis so the appeal was allowed.	
Kala Devi v Bhagwan Das Chauhan, (2015)2SCC771, V. Gopala Gowda and A.K. Goel, MV act	Whether the compensation should be enhanced?	The quantum of compensation was enhanced. The compensation finalized will be 146100 with 9% interest.	The high court erred in calculating the monthly income of victim as it did not take into account the job being skilled, loss of estate and merged the su in loss of love affection.	
Kalyan Singh v State of U.P., AIR1962SC1183, B.P. Sinha, J.C. Shah, J.R. Mudholkar, K. Subba Rao and Raghubar Dayal, MV act 1939 - 68C, 68D(2), 68F, 68F(2)	Whether the cancellation of renewed permit is valid? Whether the appellant can challenge the scheme as per the act?	The appellant is not entitled to challenge the state transport authority that they are plying vehicles with permit or without. The appellant's permit can be cancelled.	The appellant's permit can be cancelled as it is an administrative function. Under article 32 appellant can challenge the state only if their fundamental rights are infringed.	
Kamla Chaturvedi v National Insurance Co. and Ors., (2002)4SCC337, D.P. Mohapatra and P. Venkatarama Reddi, MV act 1988- 166	Whether the compensation must be enhanced?	The court held that the compensation must be enhanced	The court considered the compensation inadequate under the head of injury suffered i.e. 40000	
Karnatak State Road Transport Corporation v K.V. Saxena and ors.,	Whether truck owner/insurer can also be held liable for	The owner/insurer are liable to pay the	Due to contributory and severe negligence 40% of	

(1996)3SCC446, S. P. Baruch and S.B. Majumdar, MV act 1988 - 168 , MV act 1939 - 110B	compensation to victim?	compensation.	the amount has to be paid by the owner/insurer/ driver.	
Gajraj Singh etc. v State Road Transport Appellate tribunal and others etc., (1997)1SCC650, K. Ramaswamy, B.L. Hansaria and S.B. Majmudar, MV act 1988 - sec 70, 81, 104, 217, MV act 1939 - 23, 47(3), 48, 58, 66, 67,68,69, 71, 72, 74(3), 80, 87, 88(8), 90, 98, 100, 101, 102, 103, 105, 322	Whether holder of stage carriage permit under Repealed Act required obtaining fresh permit or renewal of permit?	The permit was treated as a temporary permit.	The permit was treated as temporary because the appellant had received the permit by misconception and misrepresentation such was treated as temporary under section 87.	
G.M., N.F. Railway v Jitendra Shah and ors., (2000)9SCC58, K.T. Thomas and M.B. Shah, MV act 1988 - 110	Whether motor accident claim tribunal has a jurisdiction in case of accident occurred by railways or such corporations? Whether compensation could not be awarded?	The motor accident claim tribunals do not have a jurisdiction. However the required compensation has to be paid by the railways.	Accident occurred only due to the sole negligence of the other parties/agencies, and then on that finding, the claim would go out of Section 110(1) of the Act because the case would then become one of the exclusive negligence of Railways. Again if the accident has arisen only on	If there is accident due to negligence of railway or other agencies than driver or owner of vehicle then Motor Accidents Claims Tribunal does not have jurisdiction.

			account of the negligence of persons other than the driver/owner of the motor vehicle, the claim would not be maintainable before the Tribunal.	
G. Govindan v New India Assurance Co. Ltd and ors., (1999)3SCC754, K. Venkataswami and A.P. Misra, MV act 1939 - 29A , 31, 94, 95, 103, 146 MV act 1988- 147, 156, 157	Whether non communication of transferee of the vehicle amount to nonpayment of compensation to the victim?	The victim should get the compensation.	Non communication of transfer should not lead to suffering for the victim so the compensation should be given. This was to protect 3rd party interest.	
Eshwarappa @ Maheshwarappa and anrs. v C.S. Gurushanthappa and anr, (2010)8SCC620, Aftab Alam and R.M. Lodha, MV act 1988 - 140, 141, 142, 143, 144, 146, 147, 163A, 166	Whether the claimant is entitled for compensation?	The claimant must get compensation of 25000 with 6% simple interest. The court was extended to the other 3 claimants as well and the insurance company was asked to pay the other 3 as well.	They must get compensation under section 140 of the MV act 1988.	Provisions of Motor Vehicles apply as per public policy and in death or permanent disablement of any person due to motor accident compensation must be paid to injured or heirs on principle of fault.
Dulcina Fernandes and odrs. V Joaquim Xavier Cruz and anr.,	Whether the pile on rider was suppose to get the compensation?	The pile on rider can claim compensation?	The victim was given a compensation of	This was done so because the evidence of the van being rash

<p>(2013)10SCC646, P. Sathasivam and Ranjan Gogoi, MV act 1988 – 166</p>		<p>Whether it was rash and negligent driving.</p>	<p>666041.78 at simple interest of 6% per anum.</p>	<p>driving was taken into account. The pile on rider was the sole bread earner of the family. The rash and negligent driving was taken into account by analyzing preponderance of probability as a touchstone.</p>
<p>Dr. T.V. Jose v Chacko P.M. Alias Thankachan and ors., (2001)8SCC748, N. Santosh Hegde and S.N. Variava, MV act 1939 - 94, 95(1), 95(2)</p>	<p>Who was the owner to pay the compensation was the question?</p>	<p>The High Court held that the Appellant was the owner of the car and liable to pay compensation to the claimants.</p>	<p>The RTO records that the appellant was the owner as per RTO records.</p>	
<p>Dharmendra Goel v Oriental Insurance Co. Ltd., (2008)8SCC279, Altamas Kabir, H.S. Bedi, MV act, 1988 - 146, 196</p>	<p>Whether the claim for compensation is valid?</p>	<p>Appellant were asked to pay 344000.</p>	<p>Although appellant took the plea of the lack of valid driving license with the respondent but that was not taken into account by the court. This was so because while the 1st claim was filed the amount of compensation asked from the appellant was less</p>	<p>The insurance companies being in dominant position often act in an unreasonable manner and after having accepted the value of a particular insured good disown that very figure on one pretext or the other when they are called upon to pay compensation.</p>

			as they had loss accruing to that amount due to delay the amount increased. If the court may the plea should not be dismissed on hyper technical issue.	
Dharampal and odrs. V U.P State Road Transportation Corp., (2008)12SCC208, Mukundakam Sharma and S.B. Sinah, MV act 1988 - 171	Whether the rate of interest must enhance?	The rate of interest was enhanced from 6% to 7.5%.	This was so because the amount of interest offered by the bank at that time was 7.5% whereas the one offered by the court was 6% which was not relevant due to the ratio established	Rate of interest depend upon bank rates prevailing at the time of grant.
Dhannalal v D.P. Vijayvargiya and ors., (1996)4SCC652, N.P. Singh and Faizanuddin, MV act 1988 - 166(3), MV act 1939 - 110A(3)	Whether the omission of section 54 of 1994 act amendment is applicable?	The claim petition has to be taken into account even though the section is omitted without taking into account on which day did that happen. The claim petition cannot be thrown on being time barred.	The amendment is made in order to protect the interest of victim and their heirs. In case of pleading the claim being time barred it increases the sufferings of victim and their heirs. In this case the principle did not govern the case but	

			the facts did.	
<p>Delhi Transport Undertaking v Zamindar Motor Transport Co. (P) and Anr,(1970)3SCC840,J.C Shah and K.S. Hegde, MV act 1939 - 45,46,47,48(1), 48(3), 57(2), 57(3), 57(4), 57(5), 57(8)</p>	<p>Whether the Delhi Transportation Authority can start a new scheme and extend their commutation?</p>	<p>The court allowed the Delhi transport authority but they could do it only with the permission of the State Transport Authority?</p>	<p>The court held that appellant cannot file a suit in this regard and increased the plying area of Delhi Transport authority to the other routes. The state transport authority cannot start a service overlapping that area. Although the appellant can ply because they have a permit but Delhi Transport Authority can also ply their carriage in the area where there is no jurisdiction of State Transport Authority.</p>	
<p>Commissioner of Central Exercise T.N. v Vinayaga Body Building Indus. Ltd., (2008)3SCC666, S.B. Sinha and V.S. Sirpurkar, MV act - 2(22)</p>	<p>Whether the maxi cab should be appropriately taxed as has been contended?</p>	<p>The maxi cab was not highly taxed as specified by the authorities for whom the order was passed.</p>	<p>This was so because the court took into account the seating capacity of the maxi cab, in which the seating capacity was for 12</p>	

			people excluding the driver but the required number of seats is 16, the fact that respondent is into the business of manufacturing chassis will not be taken into account.	
Delhi Administration v State of Haryana and ors., (1978)4SCC350, A.D. Koshal, P.N. Bhagwati and S. Murtaza Fazal Ali, MV act 1939-42(1), 48(2), 48(3), 57(8), 63(A), 63A(1), 63(2)	Whether tickets could be issued Delhi administration beyond Karnal by Haryana Road ways for buses travelling on Delhi Karnal route?	The Delhi administration can issue ticket for Delhi Chandigarh via Karnal.	Delhi State could impose conditions subject to its counter signature in relation to permit covering interstate routes to be valid. Tickets can be issued for Karnal.	Issuance of permit for a specified route or routes for a specified area must be in accordance with statutory provision.
Deepal Girishbhai Soni and Ors. v United India Insurance Co. Ltd., Baroda, (2004)5SCC385, V.N. Khare, S.B. Sinha and S.H. Kapadia, MV act 1988 - 140, 141, 143, 144, 158(6), 162, 163A, 163A(1), 163 A (2), 163B, 165,165(1), 166(1), 166, 167, 168, 176	Whether remedy for compensation under 163A is interim in nature or not? Whether remedy under 163A and 166 can be claimed simultaneously?	In the 1st case it was held that it is a final relief. In the 2nd it was said that either the claim must be contended for under 166 or 163 A.	Under 163 final rights and compensation has to be calculated. It does not have a provision for setting higher compensation The principle of no fault liability has to be used and there is no procedure for adjustment or refund so it must	

			be held that scheme under 166 and 163 A are distinct.	
Deep Chand v The State of Uttar Pradesh and ors., AIR1959SC648, Sudhi Ranjan Das, B.P. Sinha, K. Subba Rao, K.N. Wanchoo and N.H. Bhagwati, MV act 1939	Whether the act which has notified the route being nationalized is violative of article 31(2) of the Indian Constitution?	It was held that it was not violation of the article.	Act may notify for cancellation or transfer of permit in case transfer of permit is accepted the act is not more in violation of article 31(2) of the Indian Constitution. The permit was renewed in this case.	
Deddappa and ors. v The Branch Manager, National Insurance Co. Ltd., (2008)2SCC595, S.B. Sinha and H.S. Bedi, MV act 1988 - 147, 147(5), 149, 149(1), 166	Whether the insurance policy after being cancelled will be held valid after being cancelled for an accident?	No the insurer is not liable to pay.	As the victim was from lowest strata of the society the insurer was asked to pay could recover it from the owner afterwards.	If the contract of insurance has been cancelled and all concerned have been intimated, the insurance company would not be liable to satisfy the claim.
D.R. Venkatachalam and ors. v Dy. Transport Commissioner and ors., (1977)2SCC273, A.N. Ray, M. Hameedullah Beg and V.R. Krishna Iyer, MV act 1939 - 42(3), 47(1), 68	Whether dismissal of application for permit under the head of granting extra five marks for state government owned transport undertaking is valid?	It is valid.	This is valid because state is a welfare organization and the motto for putting this provision is not profit but welfare.	