

Motor Vehicles Act, 1988 Section 166 – Contributory negligence – Deceased travelling in a horse cart to a religious congregation, hit by a bus resulting in their death – Deceased was not driving the horse cart nor was the owner of the same, it was not being driven under her supervision – Were travelling as passengers – Fact that the horse cart may have been in middle of the road at the time of the accident, no fault can be attributed to the deceased holding them liable to contributory negligence and denial of full compensation – Deduction of 50% towards contributory negligence unsustainable.

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