

Good example of negligence essay

[Business](#), [Company](#)



Jim was driving back to home. There was road construction going on. The rocks were blasted by mines for the construction of a road. When Jim was crossing the road at that time a rock due to blast came down and hit his car. Suddenly Jim's car dropped in the trench. Jim heard a loud voice. Initially, he did not understand what happened to him as he was half unconscious. When he came into proper senses, he found himself in a hospital. Although he did not meet any serious injuries but there some wounds on his forehead and his hands. But the car was totally damaged.

Jim filed a case against the road construction company and told the whole situation to his lawyer. The lawyer assured that justice will be provided as it was a part of negligence from the company. The matter was brought into court for investigation. The road construction company was brought into court. The point of view of both parties was heard.

The owner of the company Melisa was charged. Her point of view was that there was a guard sitting on the place where there was mine and sign boards too were there showing danger, and be alert. But according to Jim the guard was sleeping.

Whatever the negligence was and from whichever side occurred, the fact was that Jim got injuries. Negligence is the absence of care and violation to take care of others, those who are responsible to perform the duty (Beatty, p. 45). Though people take certain measures to avoid negligence but accidents do happen, and many accidents happen mostly due to negligence. This negligence that caused the accident was from both sides. Although the sign board was there, but the driver did not see the sign board, and the guard was there to perform his duty, but he failed to perform the duty.

So by the law, first the company was responsible for the negligence and it could lead to the biggest accident ever. It was by Jim's luck that he survived. Otherwise, a serious mishap could happen.

In a case filed against the construction company, the judge would order provide few things. These things are according to law. These things would be the license of the driver, the work permit of the company, the guard too has to prove his appearance on the sight and the driver has to show that he was not drunk. As Jim was clear in his position, so he was not afraid of these things, and was sure to sue the construction company for their fault.

Jim has to show that the company's duty was to provide the security of the passengers, and negligence from their part was a crime. He also had to prove that the sign board was not placed at the proper place. If any serious damage happens the company was responsible for the payment also. Melisa, who was running the company, said in her verdict that the accident has caused damage to the construction site also. But her point of view was not very much justified as Jim had a solid reason to prove. Jim also claimed for the damage happened to the car and the medical aid. According to Jim's lawyer for negligence a legal notice can be issued. Compensation is the right of the party who is filing a case and who has suffered due to the negligence (Walter. p. 245).

In this case, Jim was the strongest side, and his lawyer too was confident that they will get the compensation for their losses. And the company will be careful in a future.

References:

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