

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

CIVIL MISCELLANEOUS APPEAL No.747 of 2008

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01.04.2015

Between:

United India Insurance Company Limited, Secunderabad

...Appellant

And

M.D.Yousuf and another

...Respondents

Counsel for the appellant: Mr.Naresh Byrapaneni

Counsel for respondent No.1: Mr.A.Madhava Reddy

Counsel for respondent No.2: None appeared

The Court made the following:

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JUDGMENT:

This appeal arises out of the order, dated 26.05.2008, in W.C.No.104 of 2006 on the file of the Commissioner for Workmen's Compensation and Assistant Commissioner of Labour – IV, Hyderabad.

The Registry has placed before the Court award, dated 05.12.2014, of the Lok Adalat held at Hyderabad, a perusal of which shows that respondent No.1 - claimant agreed to receive reduced compensation amount of Rs.1,40,000/- with accrued interest thereon from the date of petition till the date of realization against the awarded amount of Rs.2,28,360/- with accrued interest thereon. The Lok Adalat accordingly passed the award by holding that the appellant - insurance company is entitled for refund of Rs.87,405/- along with accrued interest thereon and respondent No.1 – claimant is permitted to withdraw the amount, as per the award of Lok Adalat, as and when deposited by the appellant – insurance company, as per the

apportionment made by the Tribunal. The Lok Adalat also declared that the Court fee, if any, paid by any party shall be refunded.

In view of the aforesaid settlement, the Civil Miscellaneous Appeal is disposed of as infructuous.

As a sequel to disposal of the civil miscellaneous appeal, interim stay granted on 31.07.2008 in C.M.A.M.P.No.1617 of 2008 is vacated and C.M.A.M.P.Nos.1617 and 2136 of 2008 filed for stay and for vacating the interim stay shall stand disposed of as infructuous.

(C.V.NAGARJUNA REDDY, J)

01st April, 2015

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