

THE HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY
AND
THE HON'BLE SRI JUSTICE G.SHYAM PRASAD

M.A.C.M.A.M.P.No.4217 of 2014
in/and
M.A.C.M.A.No.2382 of 2016

-
03.08.2016

Between:

M/s.The Oriental Insurance Company Limited, Hyderabad
..Applicant/Appellant

And

Smt.Neerudi Sujatha and others
..Respondents

Counsel for the applicant/appellant: Mr.B.Devanand

Counsel for the respondents: --

The Court made the following:

-
-
-
-
-
-
-
-
-
-

-
-
JUDGMENT: (Per the Hon'ble Sri Justice C.V.Nagarjuna Reddy)

M.A.C.M.A.M.P.No.4217 of 2014 is filed for condonation of delay of 53 days in filing the M.A.C.M.A., which in turn was filed against the order, dated 21.02.2014, M.V.O.P.No.116 of 2013 on the file of the learned Motor Accidents Claims Tribunal-cum-V Additional District Judge, Medak at Sangareddy.

2. Though this case is filed under the wrong caption "To Refer to Lok Adalath", a perusal of the record shows that the matter was already referred to Lok Adalath and a consent award was passed by the Lok Adalath on 29.06.2016, with the following terms:

"1. Smt.N.Kalpana, Assistant Manager, Oriental Insurance Company Limited and Sri A.M.Janardhan Goud, learned counsel for claimants and both the parties are present. The matter has been settled amicably between the parties.

2. After due deliberations, the claimants agreed to forego the entire interest and agreed to receive the principal amount of Rs.25,55,000/- in full and final settlement of the claim of claimants against the Insurance Company. Accordingly, the award is passed.

3. The Insurance Company is to deposit Rs.25,55,000/- (Rupees twenty five lakhs fifty five thousand only) within a period of two (2) months from the date of receipt of a copy of this award after giving due credit to the amount already deposited. In the event of default, the agreed amount shall carry interest at 12% per annum from the date of default.

4. The respondent/petitioner No.1 is permitted to withdraw her respective share as per the apportionment made by the Tribunal as and when deposited by the Insurance Company. The share of minors i.e., respondents/petitioners 2 and 3 shall be kept in fixed deposit till they attain majority. After attaining the age of majority, the respondents/petitioner Nos.2 and 3 are permitted to withdraw their respective share amount.

5. The parties are informed that the Court fee, if any, paid by any of them before the lower Court shall be refunded."

3. In the light of the consent award, dated 29.06.2016, M.A.C.M.A.M.P.No.4217 of 2014 and M.A.C.M.A.(SR)No.26589 of 2014 shall stand disposed of in terms of the aforementioned award.

4. As a sequel, M.A.C.M.A.M.P.Nos.4545 of 2014 and 3607 of 2015 shall stand disposed of as infructuous.

C.V.NAGARJUNA REDDY, J

G.SHYAM PRASAD, J

03rd August, 2016
GHN