

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

M.A.C.M.A. No.2083 OF 2009

JUDGMENT:

Learned counsel for the appellants would represent that respondent No.2-Insurance Company also preferred appeal in M.A.C.M.A. No.1176 of 2008 challenging the very same order and decree dated 11.12.2006 passed in O.P. No.938 of 2006 on the file of the Chairman, Motor Accident Claims Tribunal-cum-XIX Additional Chief Judge, City Criminal Courts at Hyderabad (for short, 'the Tribunal'), and when the said appeal was referred to Lok Adalat organized by Andhra Pradesh High Court Legal Services Committee, the parties effected compromise and an award was passed by the Lok Adalat on 08.03.2011 confirming the compensation of Rs.2,90,000/- granted by the Tribunal by reducing the rate of interest from 7% to 6% per annum from the date of petition till realization on the entire compensation amount and the Insurance Company agreed to deposit the settled amount within a period of one month from the date of award and C.M.A. Cross Appeal No.36451 of 2006 filed by the respondents/petitioners therein shall stand withdrawn soon after deposit of the compromised amount permitting the appellants-petitioners herein to withdraw the compensation amount as per the ratio of the Tribunal.

2. Respondent Nos.1 to 4 shown in the award are the claimants/petitioners who are the appellants herein, thus, the parties are one and the same, but so far as the third clause in the award referring to C.M.A. Cross Appeal No.36451 of 2006 are concerned, the learned counsel for the appellants herein is unable to explain as to what C.M.A. Cross Appeal No.36451 of 2006 refers.

3. Be that as it may, since the parties are one and the same, number of the original petition is one and the same and the Tribunal which decided the original petition is one and the same, and in view of the award passed by the Lok Adalat, the present appeal stands closed in terms of the said award. The copy of the award dated 08.03.2011 passed by the Lok Adalat in M.A.C.M.A. No.1176 of 2008 supplied by the learned counsel for the appellants shall form part of record. There shall be no order as to costs.

4. As a sequel thereto, miscellaneous petitions, if any pending in this appeal, shall also stand closed.

19th September, 2016

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A. SHANKAR NARAYANA, J