

THE HON'BLE SRI JUSTICE T.VINOD KUMAR

MACMA No.220 of 2014
and I A No.1 of 2020 in MACMA No.1888 of 2014
and MACMA No.1888 of 2014

COMMON JUDGMENT:

It is submitted by the learned counsel appearing for the appellant and the respondents in the respective appeals that during the pendency of the appeals before this Court, the parties have arrived at a compromise and the same has been reduced into writing. A copy of the said terms of compromise entered into between the parties is also filed into this Court along with I.A.No.1 of 2020 in M.A.C.M.A.No.1888 of 2014.

2. By the said compromise entered into between the claimants and the insurance company, it is stated that, in addition to an amount of Rs.4,77,841/- deposited by the insurance company, in pursuance of the interim order, dated 27.03.2014, in I.A.No.1 of 2014 (M.A.C.M.A.M.P.No.1604 of 2014) in M.A.C.M.A.No.1888 of 2014, the parties have agreed for the insurance company making a further payment of Rs.4,00,000/-, in all totaling to a sum of Rs.8,77,841/-. Upon the said payment being made by the insurance company, aggregating to Rs.8,77,841/-, the claimants have agreed not to pursue the appeal filed by them and similarly, the insurance company also agreed not to pursue the appeal filed by them, being M.A.C.M.A.No.1888 of 2014.

3. When the matter was called, on 02.11.2020, the claimants were present before this Court through video conferencing along with their proof of identity in the form of Aadhaar Cards as forwarded to this court by e-mail and were duly identified by the learned counsel representing them and on behalf of the insurance company, its Manager was present before this Court and his identity card has also been forwarded to this

Court by e-mail and the said authorized representative on behalf of the insurance company has been identified by the learned counsel appearing on behalf of the insurance company.

4. It is stated by the learned counsel appearing for the parties that upon this Court taking on record the above terms of compromise and passing the Award, the insurance company – appellant in M.A.C.M.A.No.1888 of 2014 would deposit the balance payment of Rs.4,00,000/- to the credit of the MVOP within a period of four weeks (4) hereof, which the claimants would be entitled to withdraw by approaching the Tribunal, as full and final settlement in the above mentioned two appeals.

5. Subject to the above, I.A.No.1 of 2020 in M.A.C.M.A.No.1888 of 2014 is ordered and both the appeals are disposed of in terms of the compromise entered into between the parties. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

JUSTICE T.VINOD KUMAR

Date:09.11.2020

GJ