

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

**THURSDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND TWENTY**

PRESENT

THE HONOURABLE SRI JUSTICE T. AMARNATH GOUD

MOTOR ACCIDENT CIVIL MISCELLANEOUS APPEAL NO: 1426 OF 2010

Appeal filed Under Section 173 of M.V. Act against the Judgment and Decree made in O.P.No.453 of 2005 dated 19.11.2008 on the file of the Court of the Special Judge for the Trial of Offences under SCs and STs (POA) - Cum - VI Additional Metropolitan Sessions Judge - Cum - Additional Chairman, Motor Accidents Claims Tribunal - cum - XX Additional Chief Judge, Secunderabad.

Between:

M/s ICICI Lombard General Insurance Company Limited, represented by its Managing Director O/o. ICICI Towers, Bandra - Kurla Complex, Mumbai - 400 051. (Policy No. 27081 valid from 7-12-2003 to 06-12-2004)

...Appellant/R-2

AND

1. M. Kistaiah, S/o. M. Mallaiah, Occ. Agriculture, R/o. Ponnal Village, Ranga Reddy District. Now R/o. Near Ram Theatre, Lalapet, Secunderabad.
2. M. Rukumbai, W/o. M. Kistaiah, Occ. Household, R/o. Ponnal Village, Ranga Reddy District. Now R/o. Near Ram Theatre, Lalapet, Secunderabad.
3. M/s Nitya Transport, represented by C. Mahesh Kumar, O/o. Survey No.197, Bachpally, Quthbullapur, Ranga Reddy District.

...Respondents/Petitioners 1, 2 and R-1

Counsel for the Appellant: SRI RAVI SHANKAR JANDHYALA

Counsel for the Respondents: NONE APPEARED

The Court made the following: JUDGMENT

THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

MACMA No.1426 OF 2010

JUDGMENT:

During the pendency of the appeal, the matter was referred to the Lok Adalat, and the same was settled before the Lok Adalat, vide Award dated 07.11.2020.

Accordingly, the MACMA is disposed of, in terms of the award passed by the Lok Adalat. No order as to costs.

Consequently, miscellaneous petitions, if any, pending in this appeal shall stand closed.

SD/- N.CHANDRA SEKHAR RAO
ASSISTANT REGISTRAR

//TRUE COPY//



SECTION OFFICER

To,

1. The Special Judge for the Trial of Offences under SCs and STs (POA) - Cum - VI Additional Metropolitan Sessions Judge - Cum - Additional Chairman, Motor Accidents Claims Tribunal - cum - XX Additional Chief Judge, Secunderabad. (With Records)
2. One CC to Sri Ravi Shankar Jandhyala, Advocate [OPUC]
3. Two CD Copies
(Along with a copy of Lok Adalat Award)



HIGH COURT

DATED:31/12/2020

JUDGMENT

MACMA.No.1426 of 2010



DISPOSING OF THE M.A.C.M.A
IN TERMS OF LOK ADALAT AWARD.

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REMA
08/01/2021

BEFORE THE LOK ADALAT

HELD AT HYDERABAD

[Organized by High Court Legal Services Committee
High Court for the State of Telangana
Through Video Conference mode
Under Section 19 of the Legal Services Authorities Act, 1987 (Central Act)]

MACMA No. 1426 of 2010

(Before the Hon'ble High Court)

(Against the Order in OP.No. 453 of 2005 on the file of the Chairman, Motor Accidents Claims Tribunal-Spl.Judge for trial of offences under SCs & STs (POA) Act-Cum-VI Addl. Metropolitan Session Judge -cum-XX Addl. Chief Judge Secunderabad.)

Appellants/Respondent No.2	1.	M/s. ICICI Lombard General Insurance Co., Limited, Rep. by its Managing Director, ICICI Towers, Bandra-Kurla Complex, Mumbai-400 051. (Policy No.27081 valid from 07.12.2003 to 06.12.2004)
Respondent No.1/Petitioner 1 to 2	1.	M.Kistaiah, S/o. M.Malliah, Age: 40 years. Occ: Agriculture
	2.	M.Rukumbai, W/o. M.Kistaiah, Age: 35 years. Occ: Household (Both are No. Ponnal (V), R.R.District R/o. Near Ram Theatre, Lalapet, Secunderabad)
Respondent/R-1-	3.	M/s.Nitya Transport Rep.by C.Mahesh Kumar, Survey No.197, Bachpally, Quthbullapur, Ranga Reddy District.

[No. of proceedings of the High Court Legal Services Committee:
ORDER ROC.No. 1035/HCLSC/2020, Dated 04-11-2020]

:: Present ::

Name of Chairman

**: Hon'ble Sri Justice P.Naveen Rao,
Judge, High Court for the State of Telangana.**

Name of Members

**: (1) Sri S. Surender Reddy, Advocate,
High Court for the State of Telangana .**

**(2) Smt. Nandita Guha, Advocate
High Court for the State of Telangana/
Social Worker.**



AWARD

The above Case between the parties having been referred for determination to the LOK ADALAT and the parties having compromised the case / matter, the following Award is passed in terms of the settlement:

1. This MACMA arises out of the order dated 19-11-2008 in OP.No.453 of 2005 on the file of the Chairman, Motor Vehicle Accident Claims Tribunal Spl. Judge for trial of offences under SCs & STs (POA) Act-Cum-VI Addl. Metropolitan Session Judge- Addl.-cum-XX Addl.Chief Judge Secunderabad .

2. The Tribunal has granted compensation of Rs. 3,97,000/- (Rupees Three lakh Ninety-Seven thousand only) with proportionate costs and interest @ 6% per annum from the date of petition till the date of deposit. Aggrieved by the order, the Insurance Company has preferred this appeal. In view of the latest judgments of the Hon'ble Supreme Court of India, New Delhi, and in consultation with the victim, the Appellant/Insurance Company intends to withdraw the appeal.
3. The Appellant / 2nd Respondent – ICICI Lombard General Insurance Company Limited, Sri Md. Babu, State Head-Legal has represented through online over the link provided by the High Court Legal Services Committee, High Court for the State of Telangana, and he seeks permission to withdraw the appeal. Accordingly, the Appellant is permitted to withdraw.
4. In view of the above representation made on behalf of the Appellant/Insurance Company, the appeal stands disposed as withdrawn.
5. The Insurance Company is ready to deposit the remaining decretal amount with accrued interest after giving due credit to the amount already deposited, within (30) days from the date of receipt of copy of this award.
6. The parties are informed that the court fee, if any, paid by any of them shall be refunded.
7. No order as to the costs of the appeal.



P. Srinivas
Chairman

[Signature]
Member

Nandilal Gupta
Member

Date: 07.11.2020

