

**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: 3242 OF 2008

Appeal filed Under Section 173 of M.V. Act against the Judgment and Decree made in M.V.O.P.No.873 of 2005 dated 19.01.2007 on the file of the Court of the Chairman, Motor Accidents Claims Tribunal-Cum- District Judge, at Khammam.

Between:

ICICI Lombard General Insurance Company Limited, represented by its Branch Manager C/o. ICICI Bank Towers, 4th Floor, East Wing, 1-11-256, Street No.1, Near Airport, Begumpet, Hyderabad.

...Appellant/Respondent No.2

AND

1. Kamathala Beeraiah, S/o. Muthaiah, Occ.Coolie, R/o. Pedamunagala (V), Konijeria (M), Khammam District.

...Respondent No.1/Claim Petitioner

2. Dade Pullaiah, S/o.Nagaiah, Aged. Major, Occ.Driver-cum-Owner of Tractor Bearing No.AP 20 L 7537 and Trailer Bearing No.AP 20 6542 R/o.Pedamunagala (V), Konijeria (M), Khammam District.

...Respondent No.2/Respondent No.1

I.A. NO: 2 OF 2007(MACMAMP. NO: 5616 OF 2007)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased stay all further proceedings including execution of the award and decree passed in O.P.No.873 of 2005 dated 19.1.2007 passed by the District Judge, Khammam.

Counsel for the Appellant: SRI KOTA SUBBA RAO

Counsel for the Respondent No1: NONE APPEARED

Counsel for the Respondent No.2: SRI CHALLA SRINIVASA REDDY

The Court made the following: JUDGMENT

THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

MACMA No.3242 OF 2008

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.

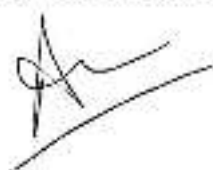
**SD/-B.SATYAVATHI
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal-Cum- District Judge, at Khammam. (With Record)
2. One CC to Sri Kota Subba Rao, Advocate [OPUC]
3. One CC to Sri Challa Srinivasa Reddy, Advocate [OPUC]
4. Two CD Copies
(Along with a copy of Lok Adalat Award)



HIGH COURT

DATED:31/12/2020

JUDGMENT

MACMA.No.3242 of 2008



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

5
NMA
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.3242 of 2008

(Before the Hon'ble High Court)

(Against the Order in OP.No.873 of 2005 on the file in the court of the motor vehicle accidents claims tribunal - cum - District Judge at Khammam)

Appellant / Respondent No.2	:	1.	M/s. ICICI Lombard General Insurance Co., Limited, represented by its Branch Manager, C/o, ICICI Towers, 4 th Floor, East Wing, 1-11-256, Street No.1, Near Airport, Begumpet, Hyderabad
Respondent No.1/Claim Petitioner	:	1.	Kamathal Beeraiah, S/o. Muthaiah, Aged: 50 years, Occ: Coolie, R/o. Pedamunagala (V), Konijerla (M), Khammam District.
Respondent No.2/ Respondent No.1	:	2.	Dade Pullaiah, S/o. Nagaiiah, Age: Major, Occ: Driver-cum-Owner of Tractor bearing No.AP 20 L 7537 and Trailer No. 20 G 6542, R/o. Pedamunagala (V), Konijerla (M), Khammam 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 19-01-2007 in OP.No.873 of 2005 on the file in the court of the motor vehicle accidents claims tribunal - cum - District Judge at Khammam. The Tribunal has granted compensation of Rs.31,000/- (Rupees thirty one thousand only) towards compensation with interest @ 7.5% p.a. from the date of petition the date of realization. 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.

2. 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.
3. In view of the above representation made on behalf of the Appellant/Insurance Company, the appeal stands disposed as withdrawn.
4. 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.
5. The parties are informed that the court fee, if any, paid by any of them shall be refunded.
6. No order as to the costs of the appeal.



P. Suresh Babu
Chairman

[Signature]
Member

N. Andilela Gupta
Member

Date: 07.11.2020

