

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

TUESDAY, THE EIGHTH DAY OF DECEMBER
TWO THOUSAND AND TWENTY

PRESENT
THE HONOURABLE SRI JUSTICE B.VIJAYSEN REDDY

M.A.C.M.A. NO: 1842 OF 2011

Appeal under Section 173 of M.V.Act, against the Order and decree made in MVOP No.149/2009 dated 15/07/2010 on the file of the Court of the Chairman, Motor Accidents Claims Tribunal –cum- IX Additional District Judge, at Kamareddy.

Between:

National Insurance Company Limited, Rep., by the Manager B.Laxmiraj Complex, Jawahar Road, Nizamabad. (Through Policy No.01042349 valid from 23-1-2007 to 22.1.2008)

...APPELLANT/ 2ND RESPONDENT

AND

1. Smt. J.Sarojini, W/o. Pentaiah R/o. Baswapoor Village, Bhiknoor Mandal, Nizamabad District.

...Respondent/ Petitioner

2. Srinivas, S/o. Satyanarayana Owner of Motor Cycle No. AP25-N 7500 R/o. C/o. Panchareddy Chinna Lingam House, Bank Colony, Yellammagutta, Nizamabad District.

...RESPONDENT/ 1ST RESPONDENT

For the Appellant : SMT. W.V.S.RAJESWARI, Advocate

For the Respondent No.1 : SRI V.TULASI REDDY, Advocate

The Court delivered the following: JUDGMENT

THE HON'BLE SRI JUSTICE B. VIJAYSEN REDDY

MACMA.No.1842 of 2011

JUDGMENT:

The subject matter in the appeal was referred to Lok Adalat for settlement and accordingly, an award was passed on 05.12.2014 in terms of settlement. However, the award of the Lok Adalat shows that the settlement was arrived in MACMA.No.1842 of 2009, inadvertently, instead of MACMA.No.1842 of 2011. As such MACMA.No.1842 of 2009 was disposed of by the High Court.

2. Sri A. Gangaratnam, Advocate, Nizamabad, addressed a letter dated 21.10.2019 to the Secretary, Legal Services Committee, High Court for the State of Telangana, seeking rectification of mistake in the award of the Lok Adalat i.e. to record the compromise in MACMA.No.1842 of 2011 instead of MACMA.No.1842 of 2009.

3. Pursuant to the said letter, the Secretary, High Court Legal Services Committee, Hyderabad, vide proceedings dated 26.11.2020 informed the Registrar (Judicial), High Court for the state of Telangana, that in the award dated 05.12.2014, MACMA.No.1824 of 2009 was corrected as MACMA.No.1842 of 2011 by one of the Lok Adalat Members, as it was typographical mistake and requested to record the Lok Adalat award in MACMA.No.1842 of 2011 (OP.No.149 of 2009).

In view of the above, the civil miscellaneous appeal is closed in terms of the award, dated 05.12.2014, passed by the Lok Adalat. As a sequel, the miscellaneous applications, if any, shall stand closed.

//TRUE COPY//

Sd/-K.SAILESHI
ASSISTANT REGISTRAR

SECTION OFFICER

To

1. The Motor Accidents Claims Tribunal –cum- IX Additional District and Sessions Judge, at Kamareddy, (with records, if any)
2. One CC to Smt W.V.S.Rajeswari, Advocate (OPUC)
3. One CC to Sri V.Tulasi Reddy, Advocate (OPUC)
4. Two CD Copies
(along with a copy of the award)

vi

HIGH COURT

DATED:08/12/2020

JUDGMENT

MACMA.No.1842 of 2011



CLOSING THE APPEAL IN TERMS OF THE AWARD.

⑤ VW
14/12/20

BEFORE THE LOK ADALAT

HELD AT HYDERABAD

[Organized by High Court Legal Services Committee
High Court of Judicature at Hyderabad
For the State of Telangana and the State of Andhra Pradesh
Under Section 19 of the Legal Services Authorities Act, 1987 (Central Act)]

MACMA No.1842 of 2009 2011
(Before Hon'ble High Court)

(Against Order in M.V.O.P.No.149/ 2009 on the file of the Motor Accidents Claims Tribunal-cum-IX
Additional District & Sessions Judge, Kamareddy)

- Appellant/ Respondent No.2** : National Insurance Company Limited,
Chennai, rep. by its Branch manager,
Branch Office, B.Laxmiraj Complex, Jawahar
Road, Nizamabad
(through policy No.01042349 valid from
23.01.2007 to 22.01.2008)
- Respondent/ petitioner** 1 Smt.J.Sajjini, W/o.Pentalaiah, aged 60 years,
Hindu, Mudiraj, Occ: Agriculture & Beedi
roller, R/o.Baswapoor Village, Bhiknour
Mandal, Nizamabad District.
- Respondent/ Respondent No.1** 2 Srinivas, S/o.Satyanarayana, aged major,
caste, Hindu, Owner of motor cycle bearing
No.AP 25 N 7500, R/o.C/o.Panchareddy
Chinna Lingam House, Bank Colony,
Yellammagutta, Nizamabad.

[No. of proceedings of the High Court Legal Services Committee: ORDER
Rec.No.2954/HCLSC/2014 Dt.28-11-2014]

:: Present ::

Name of Chairman : Hon'ble Sri Justice C.V.Ramulu,
Judge, High Court of A.P. (Retd.).

Name of Member : 1) Sri Ch.Nageswara Rao,
Advocate, Bar Association,
Hyderabad.

(2) Smt.G.Niveditha,
Advocate & Social Worker,
Hyderabad.

AWARD

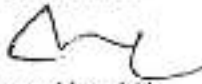
The dispute between the parties having been referred for determination to the LOK ADALAT and the parties having compromised the case / matter, the following Award is passed in terms of the settlement:

1. Sri.K.Sai Prakash, Deputy Manager, National Insurance Company Limited and Sri S.Srinivas, learned counsel for respondent/ petitioner are present. The matter has been settled amicably between the parties.
2. The respondent/ petitioner agreed to receive reduced compensation amount of Rs.3,00,000/- with interest at 7.5% per annum from the date of petition till the date of realization against the awarded amount of Rs.3,26,700/- with interest at 7.5% per annum.
3. The Insurance company is to deposit an amount of Rs.3,00,000/- (Rupees three lakhs only) with interest at 7.5% per annum from the date of petition till the date of realisation, 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 is permitted to withdraw the amount as and when deposited by the Insurance company.
5. The parties are informed that the court fee, if any, paid by any of them shall be refunded.
6. No orders as to the costs of appeal.

For National Insurance Co. Ltd.


Deputy Manager

Appellant/ respondent No.2

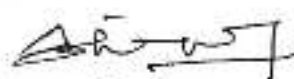
(RTI of)



(T. Sarajini)

Respondent/ petitioner

Counsel for Appellant/
respondent No.2

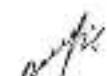

Counsel for Respondent/
petitioner

Identified by M.C.

Senior Representative

V. Tulsi Reddy


Chairman


Member

G. Niveditha
Member

Date: 05-12-2014



(Seal of the Committee)

"CERTIFIED
TO BE TRUE COPY"


SECRETARY

High Court for the State of Andhra Pradesh
High Court of Judicature at Hyderabad
for the State of Andhra Pradesh and the
State of Andhra Pradesh
High Court Buildings, Hyderabad-500 066.