

**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 JUSTICE G. SRI DEVI

CIVIL MISCELLANEOUS APPEAL NO: 383 OF 2012

Appeal Under Section 30 of Workmen's Compensation Act against the Judgment/Decree in W.C. No.258 of 2003 dated 19-11-2011 on the file of the Court of the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour, at Nizamabad

Between:

Kodithyala Sreedhar, S/o Lingaiah, Occ.Ex Lorry Driver and Business in Paddy, Maize and other Food Grain on Commission basis, R/o H.No. 9-32, Ramnagar, Karimnagar, Presently R/o Ashok Nagar, Kamareddy, District Nizamabad.

...Appellant

AND

1. Sri Anjayya Hanumayya Koyadwar, S/o. Hanumayya Koyadwa, Occ. Major, Owner of Jeep Bearing No. MH 31 AH 9354, R/o. Plot No. 14, Teka Naka, Kamptgee Road, Nagpur Maharashtra State.
2. National Insurance Company Limited, Jatpura Gate, Chandrapur, Maharashtra State, represented by its Branch Manager, Branch Office, D.No. 5-8-799/2 B- Laxmiraj Complex, Jawahar Road, Nizamabad District Nizamabad.

...Respondents

Counsel for the Appellant: SRI LAKKADI DAYAKER REDDY

Counsel for the Respondents: NONE APPEARED

The Court made the following: JUDGMENT

HONOURABLE JUSTICE G. SRI DEVI

CIVIL MISCELLANEOUS APPEAL NO.383 OF 2012

JUDGMENT:

Pursuant to a settlement arrived at between the parties, the Lok Adalat, Hyderabad, passed the following award on 07.11.2020:-

1. This C.M.A. arises out of the order dated 19.11.2011 in W.C.No.256 of 2003 NF on the file of the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour, at Nizamabad.
2. The Commissioner for Workmen's compensation and Deputy Commissioner of Labour at Nizamabad in W.C.No.256 of 2003 NF has granted compensation of Rs.2,18,007/- including costs and Advocate fee. Aggrieved by the said order, the applicant preferred an appeal vide C.M.A.No.383 of 2012. During the pendency of appeal both the parties have compromised the matter.
3. The Appellant/Applicant along with his counsel Sri M.Prakash Reddy, Advocate, has represented before the virtual Lok Adalat through online over the link provided by the High Court Legal Services Committee, High Court for the State of Telangana.
4. The Respondent No.2 - National Insurance Company Limited, Smt. Sujatha K.Kumar, Manager, has represented before the virtual Lok Adalat through online over the link provided by the High Court Legal Services Committee, High Court for the State of Telangana.
5. Both the parties stated that they resolved the dispute amicably and entered into compromise. The

Appellant/Applicant has sent copy of Aadhar card in proof of his identification. The matter has been settled amicably between the parties.

6. The Appellant/Applicant has agreed to receive an amount of Rs.2,25,000/- (Rupees Two lakhs twenty five thousand only) towards full and final settlement apart from the amount awarded by the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour at Nizamabad.
7. Accordingly the award is passed for an amount of Rs.2,25,000/- (Rupees Two lakhs twenty five thousand only) towards full and final settlement apart from the amount awarded by the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour at Nizamabad.
8. The Respondent No.2/Insurance Company has to deposit the awarded amount of Rs.2,25,000/- (Rupees Two lakhs twenty five thousand only) towards full and final settlement within a period of two (2) months from the date of receipt of copy of this award apart from the amount awarded by the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour at Nizamabad, after giving due credit to the amount already deposited. In the event of default or delay in making such deposit, the amount payable shall carry interest at 12% per annum from the date of default.
9. Upon such deposit, the Appellant is at liberty to withdraw the entire amount.

10. In terms of the compromise arrived at between the parties,
this case stands disposed of.

11. The parties are informed that the Court fee, if any, paid by
any of them before lower Court shall be refunded.

In view of the award dated 07.11.2020, passed by the Lok
Adalat, Hyderabad, this Civil Miscellaneous Appeal is disposed of
in terms of the award.

Miscellaneous applications, if any, pending shall stand
closed.

//TRUE COPY//

Sd/-I.NAGA LAKSHMI
ASSISTANT REGISTRAR
SECTION OFFICER

To,

1. The Commissioner for Workmen's Compensation and Deputy Commissioner of Labour, at Nizamabad.
2. One CC to Sri Lakkadi Dayaker Reddy, Advocate [OPUC]
3. Two CD Copies
(Along with a copy of Lok Adalat Award)

12/11

HIGH COURT

GSDJ

DATED:31/12/2020

JUDGMENT

CMA.No.383 of 2012



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

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**BEFORE THE LOK ADALAT
HELD AT HYDERABAD**
(Organized by High Court Legal Services Committee
High Court for the state of Telangana)
(Under Section 19 of the Legal Services Authorities Act, 1987 (Central
(Through video Act) conference mode)

CMA No. 383 of 2012
(Before the Hon'ble High Court)
Against the order in W.C. No. 256 of 2003 NF on the file of the
Commissioner for Workmen's Compensation and Deputy Commissioner
of Labour, at Nizamabad, dt. 19th November, 2011)

Appellant/Applicant 	:	1.	Kodithyala Sreedhar, S/o. Lingalah, Aged about 35 years, Occ: Ex-Lorry driver and business in paddy, Maize and other food grain on commission basis, R/o. H.No. 9-32, Ramnagar, Karimnagar, Presently residing at Ashoknagar, Kamareddy, District: Nizamabad.
Respondents/Opposite parties	:	1.	Sri Anjayya Hanumayya Koyadwar, S/o. Hanumayya Koyadwa, aged: Major, owner of Jeep bearing No. MH-31 AH-9354, R/o. Plot No. 14, Teka Naka, Kampet Road, Bagpur, Maharashtra State.
Respondent No.2	:	2.	National Insurance Company Ltd., Jatpura Gate, Chandrapur, Maharashtra State, Represented by it's Branch Manager, Branch Office, D.No. 5-8-799/2, B-Laxmiraj Complex, Jawahar Road, Nizamabad, Dist: Nizamabad

(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 CMA arises out of the order dated 19-11-2011 in W.C.No. 256 of 2003 NF on the file of the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour, at Nizamabad.



Nandita Guha

2. The Commissioner for Workmen's Compensation and Deputy Commissioner of Labour at Nizamabad in W.C.No. 256 of 2003 NF has granted compensation of Rs. 2,18,007/- including costs and Advocate fee. Aggrieved by the said order, the applicant preferred an appeal vide C.M.A.No. 383 of 2012. During the pendency of appeal both the parties have compromised the matter.

3. The Appellant/Applicant along with his counsel Sri M.Prakash Reddy, Advocate, has represented before the virtual Lok Adalat through online over the link provided by the High Court Legal Services Committee, High Court for the State of Telangana.

The Respondent No.2 - National Insurance Company Limited, Smt.Sujatha K.Kumar, Manager, has represented before the virtual Lok Adalat through online over the link provided by the High Court Legal Services Committee, High Court for the State of Telangana.

Both the parties stated that they resolved the dispute amicably and entered into compromise. The Appellant/Applicant has sent copy of Aadhar card in proof of his identification. The matter has been settled amicably between the parties.

6. The Appellant/Applicant has agreed to receive an amount of Rs.2,25,000/- (Rupees Two lakhs twenty five thousand only) towards full and final settlement apart from the amount awarded by the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour at Nizamabad.

7. Accordingly the award is passed for an amount of **Rs.2,25,000/- (Rupees Two lakhs twenty five thousand only)** towards full and final settlement apart from the amount awarded by the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour at Nizamabad.

8. The Respondent No.2/Insurance Company has to deposit the awarded amount of Rs.2,25,000/- (Rupees Two lakhs twenty five thousand only) towards full and final settlement within a period of two (2) months from the date of receipt of copy of this award apart from the amount awarded by the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour at Nizamabad, after giving due credit to the amount already deposited. In the event of default or delay in making such deposit, the amount payable shall carry interest at 12% per annum from the date of default.

9. Upon such deposit, the Appellant is at liberty to withdraw the entire amount.



[Signature]

Nandini Gupta

10. In terms of the compromise arrived at between the parties, this case stands disposed of.
11. The parties are informed that the court fee, if any, paid by any of them before lower court shall be refunded.

Identified
By me

K. S. D. Appellant/Applicant	जे नेशनल इन्श्योरेंस कंपनी लि. For National Insurance Co. Ltd. अधिकृत हस्ताक्षरकर्ता Authorised Signatory Respondent No.2/Insurance Company
Maddy Counsel for Appellant/Applicant	

D. S. S. S.

Chairman

Member

Nand Lal Gupta

Member

Date: 07-11-2020



(Seal of the Committee)