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: 804 OF 2012

Appeal Under Section 30 of Workmen's Compensation Act against the Judgment/Decree in W.C. No.209 of 2004 dated 25-05-2012 on the file of the Court of the Commissioner for Wokmen's Compensation and Deputy Commissioner of Labour, at Nizamabad

Between:

Shaik Mahaboob, S/o. Thaher, Occ: Ex-driver of Auto, R/o. H.No. 11-1-8/115, Chandrashekar Colony, Nizamabad.

...Appellant

AND

1. Sri Syed Kaleemuddin, S/o. Syed Sharfuddin, aged:Major, Occ: Owner of auto bearing No.AP-25-U-4900, R/o. H.No. 5-9-41/1, Police Line, Behind Vijay Talkies, Nizamabad, District Nizamabad.

   (R1- dismissed wide Court Order dated 20.07.2016)

2. National Insurance Company Limited,, represented by its Branch Manager, Branch Office, B-Laxmiraj Complex, Jawahar Road, Nizamabad.

...Respondents

Counsel for the Appellant: SRI LAKKADI DAYAKER REDDY

Counsel for the Respondent No.2: NONE APPEARED

The Court made the following: JUDGMENT

HONOURABLE JUSTICE G. SRI DEVI

CIVIL MISCELLANEOUS APPEAL NO.804 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 25.05.2012 in W.C.No.209 of 2004 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.209 of 2004 NF has granted compensation of Rs.2,04,463/- including costs and Advocate fee. Aggrieved by the said order, the applicant preferred an appeal vide C.M.A.No.804 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.2,02,000/- (Rupees Two lakhs two 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.2,02,000/- (Rupees Two lakhs two 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.2,02,000/- (Rupees Two lakhs two 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.

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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.

Sd/-I.NAGA LAKSHMI
ASSISTANT REGISTRAR

//TRUE COPY//

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)

HIGH COURT

GSDJ

DATED:31/12/2020

JUDGMENT

CMA.No.804 of 2012



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

(4)
R11/20

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 Act)
(Through Video Conference mode)
CMA No. 804 of 2012
(Before the Hon'ble High Court)
Against the order in W.C. No. 209 of 2004 NF on the file of the Commissioner for Workmen's Compensation and Deputy Commissioner of Labour, at Nizamabad, dt. 25th May, 2012)

Appellant/Applicant	:	1.	Shaik Mahaboob S/o. Thaher, aged about 46 years, Occ: Ex-Driver of Auto, R/o. H.No. 11-1-8/115, Chandrashekar Colony, Nizamabad.
Respondents/Opposite parties	:	1.	Sri Syed Kaleemuddin, S/o. Syed Sharfuddin, Aged major, owner of Auto bearing No. AP-25-U-4900 R/o. H.No. 5-9-41/1, Police Line, Behind Vijay Talkies, Nizamabad, Dist.Nizamabad.
Respondent No.2	:	2.	National Insurance Company Ltd., Hyderabad, represented by it's Branch Manager, Branch Office, B-Laxmiraj Complex, Jawahar Road, Nizamabad. (R1 dismissed vide court order dated 20-07-2016)

HIGH COURT LOK ADALAT

(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 25-05-2012 in W.C.No. 209 of 2004 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. 209 of 2004 NF as granted compensation of Rs. 2,04,463/- including costs and Advocate fee. Aggrieved by the said order, the applicant preferred an appeal vide C.M.A.No. 804 of 2012. During the pendancy 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.

HIGH COURT LOK ADALAT

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.2,02,000/- (Rupees Two lakhs two 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. 2,02,000/- (Rupees Two lakhs two 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. 2,02,000/- (Rupees Two lakhs two 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.

Nandila Guha

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

Appellant/Applicant	दि नेशनल इन्श्योरेन्स कं. लि. For National Insurance Co. Ltd. अधिकृत हस्ताक्षरकर्ता Authorised Signatory Respondent No.2/Insurance Company
Counsel for Appellant/Applicant	

Chairman **Member** **Member**

Date: 07-11-2020

HIGH COURT LOK ADALAT

(Seal of the Committee)