

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: 751 OF 2012

Appeal filed under Section 30 of Workmen's Compensation Act against the Order dated 19.05.2012 made in W.C.No.265 of 1996 NF on the file of the Commissioner for Employee's Compensation and Deputy Commissioner of Labour, at Nizamabad.

Between:

MANIGALLA KISHAN @ RAMAN KISHAN, S/o. Balaiah, Labour on Contract basis,
R/o. Yavapur Village, Toopran Mandal, Medak District.

...APPELLANT

AND

1. C. BAL REDDY, S/o. Yadi Reddy, Owner of Lorry bearing No. ABT-3150, R/o. H.No. 3-94, Bowanpally, Secunderabad, A.P.(Appeal against Respondent No.1 is Dismissed vide Court order dated 20/07/2016)
2. National Insurance Company Ltd., through its Divisional Manager, Divisional Office, Secunderabad, A.P.

...RESPONDENTS

Counsel for the Appellant :SRI M. PRAKASH REDDY

Counsel for the Respondent 2 : SMT. SUJATHA K.KUMAR

The Court made the following: ORDER

HONOURABLE JUSTICE G. SRI DEVI

CIVIL MISCELLANEOUS APPEAL NO 751 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 19.05.2012 in W.C.No.265 of 1996 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.265 of 1996 has granted compensation of Rs.1,13,843/- including costs and Advocate fee. Aggrieved by the said order, the applicant preferred an appeal vide C.M.A.No.751 of 2012.
3. During the pendency of appeal both the parties have compromised the matter.
4. 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.
5. 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.

6. 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.
7. The Appellant/Applicant has agreed to receive an amount of Rs.1,63,000/- (Rupees One lakh sixty three 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. Accordingly the award is passed for an amount of Rs.1,63,000/- (Rupees One lakh sixty three 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.
9. The Respondent No.2/Insurance Company has to deposit the awarded amount of Rs.1,63,000/- (Rupees One lakh sixty three 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.

10. Upon such deposit, the Appellant is at liberty to withdraw the entire amount.
11. In terms of the compromise arrived at between the parties, this case stands disposed of.
12. 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.

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Sd/-K.GANGADHAR RAO
JOINT REGISTRAR
SECTION OFFICER

To,

1. The **Commissioner for Workmen Compensation and Deputy Commissioner of Labour**, at Nizamabad.
2. One CC to SRI. LAKKADI DAYAKER REDDY Advocate [OPUC]
3. One CC to SRI. . **M. PRAKASH REDDY**, Advocate [OPUC]
4. One CC to SRI Smt.Sujatha K.Kumar, Advocate [OPUC]
5. **Two CD Copies**

[Handwritten signature]

HIGH COURT

GSDJ

DATED:31/12/2020

ORDER

CMA.No.751 of 2012



DISPOSING OF THE C.M.A.

In terms of the lok Adalat Award

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18/1/21
HVL

**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. 751 of 2012
(Before the Hon'ble High Court)
Against the order in W.C. No. 265 of 1996 NF on the file of the
Commissioner for Workmen's Compensation and Deputy Commissioner
of Labour at Nizamabad, dt. 19th May 2012)**

Appellant/Applicant	:	1.	Mangalla Kishan @ Raman Kishan, S/o. Balalah, aged about 38 years, Occ: Labour on contract basis, R/o. Yavapur Village, Toopran Mandal, Medak District.
Respondents/Opposite parties	:	1.	C.Bal Reddy S/o. Yadi Reddy, Owner of Lorry bearing No. ABT-3150, R/o. H.No. 3-94, Bownpally, Secunderabad, A.P.
Respondent No.2	:	2.	National Insurance Company Ltd., through its Divisional Manager, Divisional Office, Secunderabad, A.P. (R1 dismissed vide court order dated 20-07-2016)

(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 19-05-2012 in W.C.No. 265 of 1996 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. 265 of 1996 NF has granted compensation of Rs. 1,13,843/- including costs and Advocate fee. Aggrieved by the said order, the applicant preferred an appeal vide C.M.A.No. 751 of 2012.

[Signature]

Nandita Guha

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3. During the pendency of appeal both the parties have compromised the matter.
4. The Appellant/Applicant along with his counsel Sri M.Prakash Reddy, Advocate, has represented before the virtual Lok Adalat through on line over the link provided by the High Court Legal Services Committee, High Court for the State of Telangana.
5. 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.
6. 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.
7. The Appellant/Applicant has agreed to receive an amount of Rs.1,63,000/- (Rupees One lakh sixty three 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. Accordingly the award is passed for an amount of **Rs. 1,63,000/- (Rupees One lakh sixty three 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.
9. The Respondent No.2/Insurance Company has to deposit the awarded amount of Rs. 1,63,000/- (Rupees One lakh sixty three 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 if any 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.
10. Upon such deposit, the Appellant is at liberty to withdraw the entire amount.
11. In terms of the compromise arrived at between the parties, this case stands disposed of.



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

Identified
By me *MM*

<i>S. S. F.</i> Appellant/Applicant	रे नेशनल इन्सुरेंस कंपनी लि. For National Insurance Co. Ltd. <i>[Signature]</i> अधिकृत हस्ताक्षरकर्ता Respondent No. 2 Insurance Company
<i>Meedy</i> Counsel for Appellant/Applicant	

P. S. S. S. S.
Chairman

[Signature]
Member

N. Indira Guba
Member

Date: 07-11-2020



(Seal of the Committee)