2025:KER:31856

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE JOHNSON JOHN

FRIDAY, THE 11TH DAY OF APRIL 2025 / 21ST CHAITHRA, 1947

MACA NO. 1725 OF 2019

AGAINST THE AWARD DATED 22.10.2018 IN OP(MV) NO.61 OF 2016 OF MOTOR ACCIDENT CLAIMS TRIBUNAL, PERUMBAVOOR

APPELLANT/PETITIONER:

NIZAL V.S. AGED 24 YEARS, S/O. SALIM, VELUMTHATTIPARAMBU HOUSE, SOUTH ADUVASSERY, CHENGAMANAD.

BY ADV. SRI. A.N.SANTHOSH

RESPONDENT2ND RESPONDENT:

RELIANCE GENERAL INSURANCE COMPANY LIMITED.,
XL-35/99, 4TH FLOOR, ELIZABETH ALEXANDER MEMORIAL BUILDING, SHANMUGHAM ROAD, MARINE DRIVE, KOCHI - 682 031.

BY ADVS.
SRI.GEORGE CHERIAN (SR.)
SMT.K.S.SANTHI
SMT.LATHA SUSAN CHERIAN

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON 11.04.2025, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

2025:KER:31856

JOHNSON JOHN, J.

M.A.C.A No. 1725 of 2019

Dated this the 11th day of April, 2025.

JUDGMENT

Heard. Perused the joint statement dated 12.03.2025.

2. The matter is settled between the appellant and the respondent insurance company. The respondent insurance company agreed to pay an additional compensation of Rs.2,35,000/- (Rupees Two Lakhs Thirty Five Thousand only) to the appellant in full and final settlement of the claim. Compromise is recorded.

Appeal is disposed of as per the compromise. Joint statement dated 12.03.2025 will form part of the judgment.

sd/-
JOHNSON JOHN,
JUDGE.

Rv

BEFORE THE HONOURABLE HIGH COURTOF KERALA AT ERNAKULAM

M.A.C.A.No. 1725 of 2019

Nizal V.S : Appellant

Vs.

Reliance General Insurance Company Ltd : respondent

JOINT STATEMENT FILED BY THE APPELLANT AND THE RESPONDENT

1. The above appeal is filed against the award in OP (MV) No. 61/2016 which was disposed of by the Motor Accidents Claims Tribunal, Perumbavoor by award dated 22/10/2018. The original petition is filed by the appellant claiming compensation in respect of the personal injuries sustained by him in a road traffic accident occurred on 5/10/2015 at about 9.45 pm while the appellant was riding a motor cycle bearing No. KL-42-G-6202 through West Kadungallur to East Kadungallur and when he reached near west Kadungallur, a car bearing No. KL-42-A-6243 came in a rash and negligent manner and knocked down the appellant. As a result of the accident the appellant sustained serious injuries. The Tribunal had granted Rs. 6,94,404/- as compensation along with interest @ 8% p.a. from the date of claim petition. It is challenging the quantum of compensation that the above appeal is filed. Since the respondent had admitted the coverage of the insurance policy in respect of the offending vehicle, the liability to pay the compensation is on the respondent. Hence the settlement is arrived at between the appellant and the respondent.

Appellant :

Nizal V.S

Respondent: Reliance General Insurance Company Ltd