

In the Court of the Motor Accidents Claims Tribunal, Mavelikara

Present: Sri. K N Ajith Kumar, Motor Accidents Claims Tribunal

(Additional District & Sessions Judge-II)

Thursday, the 23rd June 2022 / 2nd Ashadha 1944

OP (MV) 1727/2020

(Filed on 19.11.2020)

Petitioner: Nanukuttan @ Nanu, aged 63 years,
S/o. Vasudevan, Thundil Thekkethil,
Pallarimangalam, Thekkekara, Mavelikara.

By Adv. R Anoop Kumar

Respondents :

1. Biju Varghese (Driver), aged about 49 years,
S/o. Varghese, No.12/13, Neelakandeswara Layout,
Manjammanpalya, Bangalore – 560068.
Now residing at Parankammoottil,
Vadakkemankuzhi, Thekkekara P O,
Thekkekara Village, Mavelikara – 690107.
2. Mercy Biju (Owner), W/o. Biju Varghese,
Alinte Thekkethil, Puthiyakavu P O,
Mavelikara – 690101.
2. The Oriental Insurance Co. Ltd.,
Rep. by its Divisional Manager,
Divisional Office, Marthoma Building,
T K Road, Thiruvalla, Pathanamthitta-689104.

R1 and R2 -

R3 by Adv. Beena Rani

This OP (MV) having been finally heard on 23.06.2022 and the Tribunal on same day passed the following:

AWARD

This claim petition has been filed by the claimant u/s. 166 of the MV Act claiming compensation of Rs.3,00,000/- on account of the injuries allegedly sustained by him in a road traffic accident.

2. The matter is fully and finally settled between the petitioner and 3rd respondent, for **₹ 1,60,000/- (Rupees one lakh sixty thousand only)**. Joint memo is filed. The compromise is accepted and recorded. The joint memo shall form part of the record.

- (a) The claimant is entitled to realize an amount of **₹1,60,000/- (Rupees one lakh sixty thousand only)** from the 3rd respondent.
- (b) As per the legal principles settled in the **Hon'ble High Court of Judicature at Madras represented by its Registrar General Vs. MC.Subrahmanyam and others reported in AIR 2021 SC 2662**, parties who have agreed to settle their dispute without requiring judicial intervention u/s.89 of CPC are even more deserving of the benefit of refund of court fee. In the light of the above principle, the claimant is exempted from payment of court fee.
- (c) The 3rd respondent is directed to transfer the award amount to the bank account of the claimant within a period of two months from today.
- (d) The claimant is directed to produce attested copy of the PAN card and relevant pages of his/her bank pass book having details of the bank account number and

IFSC Code of bank branch before this Tribunal within 15 days from the date of this award with copy to 3rd respondent.

- (e) If the claimant fails to produce the copy of the bank pass book as directed above, the interest on compensation shall cease to run after the expiry of the above 15 days.
- (f) In the event of default of payment by 3rd respondent, the claimant is entitled to get interest @ 8 % on the settled amount from the date of award.

(Dictated to the C.A, transcribed and typewritten by her, corrected and pronounced by me in open court on this the 23rd day of June, 2022)

Sd/-

K N AJITH KUMAR
MOTOR ACCIDENTS CLAIMS TRIBUNAL

Appendix: Nil

Id/-

MOTOR ACCIDENTS CLAIMS TRIBUNAL