

701/26

DISTRICT MEDIATION CENTRE, KALPETTA

COURT COMPLEX KALPETTA PIN.673 122

Date : 13-3-2026 /2026

BEFORE THE HON'BLE M A C J

SETTLED REPORT

CASE No.... OP. MV. 885/25

Sir,

Sub: Settled Report- Mediation in ... 302/26-Reg.

Ref:1. Referral Order in Op. MV. 885/25

dated ... 7/3/2026

2. Report of Adv. SECRETARY D.H.A. Mediator,

dated..... 11-3-2026

Adv. SECRETARY D.H.A., Mediator in the above matter reported that, the matter was mediated and settled in mediation. The report and memorandum of agreement are forwarded for perusal and necessary action.

Yours faithfully



CENTRE CO-ORDINATOR
(CIVIL JUDGE SENIOR DIVISION)

To,

The Hon'ble M A C J K P T A

Adv
PC Prasad
Kalpetta

19 MAR 2025

24/3/26
24 MAR 2026
KALPETTA

MEMORANDUM OF AGREEMENT UNDER SECTION 89 OF THE CODE OF CIVIL PROCEDURE READ WITH RULES 24 AND 25 OF THE CIVIL PROCEDURE (ALTERNATE DISPUTE RESOLUTION-MEDIATION) RULES, 2008

In the Court of Motor Accidents Claims Tribunal, Kalpetta

Case No. : **OP(MV) 885/2025**

Petitioner

Rajitha. T., W/o. Babu, Aged 55 years,
Kalluvetti Parambil, Ramanattukara Post,
Thottungal, Kozhikode District,
Pin -673 633

R1. Sumesh. A., S/o. Annan, Aged 41 years,
Anappara (H), Arambattakunnu Post,
Padinjarathara, Wayanad, Pin- 673575.

(Driver of the Vehicle No: KL 12P-8875 Private Bus)

Defendants/Respondents

R2. Nattalil Joseph Shaju, S/o, N. B. Joseph,
Aged 59 years, Nattalil House, Near Nirmala
High School, Thariyode Post, Kavumannan,
Wayanad, Pin – 673575.

(Owner of the Vehicle No: KL 12P-8875 Private Bus)

R3. The Manager, National Insurance Co. Ltd.,
Kalpana Shopping Complex, Kalpetta Post,
Wayanad, Pin-673 121.

(Insurer of the Vehicle No: KL 12P-8875 Private Bus)

The parties above named beg to submit as follows:

- 1 The aforesaid Suit/Appeal/Petition/Complaint was referred for mediation for solving the dispute between the parties. In the course of mediation they have resolved their dispute and have agreed to the following terms and condition.

MEDIATION AGREEMENT

- I. The insurer above mentioned shall pay an amount **₹45,000/- (Rupees Forty five thousand only)** to the petitioner within one month from today, in default the amount shall bear interest @ 8% per annum from this date as described below:
- II. Insurer shall deposit the award amount directly to the bank account to the petitioner by way of electronic transfer and the petitioner is entitled to withdraw the amount as and when he required.

III. Full court fee paid shall be refunded to the petitioner.

IV. Petitioner/Claimant/guardian is directed to produce attested copy of Bank Pass Book. Respondent No.3 shall comply the award as stated above after furnishing bank account of the claimant.

V. Respondent No.3 shall file a statement regarding the compliance of the order before this Tribunal along with certificate of transaction by way of NEFT attested by the Bank concerned.

2. In view of the afore said agreement entered in to between parties, the parties pray that the Suit/Appeal/Petition/Complaint be disposed of in terms of the aforesaid agreement.
3. In view of the aforesaid agreement, Plaintiff/Appellant/Petitioner prays for refund of full institution fee.
4. Parties will appear on 11.03.2026 before the court for passing Orders/Decree in terms of the above agreement.

* Rajitha. Raj

Plaintiff/Appellant/Petitioner

Adv. Vishnu M. P.

Adv. for Plaintiff/Appellant/Petitioner

Defendant/Respondent/Counter Petitioner

Adv. P. C. Prasad

Adv. for Defendant/Respondent/Counter Petitioner

VERIFICATION

We the parties above named, do hereby solemnly state and declare that what is contained in paragraphs 1 to 5 are true to the best of our knowledge, information and belief.

* Rajitha. Raj

Plaintiff/Appellant/Petitioner

Adv. Vishnu M. P.

Adv. for Plaintiff/Appellant/Petitioner

Defendant/Respondent/Counter Petitioner

Adv. P. C. Prasad

Adv. for Defendant/Respondent/Counter Petitioner

Name & signature of the Mediator

Place : Kalpetta

Date : 11.03.2026

IN THE MOTOR ACCIDENTS CLAIMS TRIBUNAL, WAYANAD, KALPETTA
Present: Sri.A.V.Unnikrishnan, Motor Accidents Claims Tribunal, Kalpetta

Tuesday, this the 24th day of March, 2026
03rd day of Chaithram, 1947

ORIGINAL PETITION (MV) No.885/2025

Between:

Rajitha. T., W/o. Babu, Aged 55 years,
Kalluvetti Parambil, Ramanattukara Post,
Thottungal, Kozhikode District,
Pin -673 633.

} Petitioner

And:

R1. Sumesh. A., S/o Annan, Aged 41 years,
Anappara (H), Arambattakunnu Post,
Padinjarathara, Wayanad, Pin- 673575.

(Driver of the Vehicle No: KL 12P-8875 Private Bus)

R2. Nattalil Joseph Shaju, S/o, N. B. Joseph,
Aged 59 years, Nattalil House, Near Nirmala High
School, Thariyode Post, Kavumannan,
Wayanad, Pin – 673575.

(Owner of the Vehicle No: KL 12P-8875 Private Bus)

R3. The Manager, National Insurance Co. Ltd.,
Kalpana Shopping Complex, Kalpetta Post,
Wayanad, Pin-673 121.

(Insurer of the Vehicle No: KL 12P-8875 Private Bus)

} Respondents

This OP(MV) is coming on this day for final hearing before me in the presence of Smt.Vishnumaya C.P., Counsel for petitioner, and Sri.P.C.Prasad, Counsel for respondent No.3 and respondent Nos.1&2 called absent and set exparte and on the same day the Tribunal passed the following.

AWARD

Original Petition suo motu advanced. Matter settled in mediation. Mediation agreement received. Terms of agreement found to be lawful. An award is passed in terms of Mediation agreement. Mediation agreement shall form part of award. Full court fee and Kerala Legal Benefit Fund shall be refunded.

(Pronounced by me in open court, this the 24th day of March, 2026)

MOTOR ACCIDENTS CLAIMS TRIBUNAL

APPENDIX : Nil

MOTOR ACCIDENTS CLAIMS TRIBUNAL

Typed by : Ravi M.P
Compared by : Jasna P.
FCS :