

25

BEFORE THE NATIONAL LOK ADALAT AT VISAKHAPATNAM
(Constituted by District Legal Services Authority, Visakhapatnam Under
Section 19 of Legal Services Authorities Act, 1987.)

Saturday, the 09th day of September, Two Thousand Twenty Three
L.S.A.No. 2640/2023

IN

M.V.O.P.No.75/2022

**(BEFORE THE HONOURABLE COURT OF THE PRINCIPAL DISTRICT
JUDGE CUM MOTOR ACCIDENT CLAIMS TRIBUNAL AT
VISAKHAPATNAM)**

Present:

1. Sri L.SRIDHAR
XI Additional District Judge at Visakhapatnam
Presiding Officer, National Lok Adalat Bench,
Visakhapatnam.
2. Ms. M.GOWTHAMI
Advocate- Member
3. Sri Bangaru Raju Narayana Setty
Social Worker

Between:

1. Vanumu Padma, W/o late Bangaru Raju, Hindu, aged 25 Years, House Wife, Residing at D.No.5-54, Yeguva Yetha Peta, Anandapuram Village and Mandal, Visakhapatnam District-530052, Aadhar Card No.4363 0260 6733.
 2. Vanumu Komali, D/o late Bangaru Raju, Hindu, aged 06 Years, Student, Residing at rest-do-, Aadhar Card No.4344 3746 8100.
 3. Vanumu Ganesh, S/o late Bangaru Raju, Hindu, aged 03 Years, Aadhar Card No.4606 1115 3770.
 4. Vanumu Bangaramma, W/o Appanna, Hindu, aged 52 Years, House Wife, Residing at D.No.5-54, Yeguva Yetha Peta, Anandapuram Village and Mandal, Visakhapatnam District-530052, Aadhar Card No.2272 5122 2380.
 5. Vanumu Appanna, S/o late Appanna, Hindu, aged 55 Years, Un-employed, Residing at D.No.5-54, Yeguva Yetha Peta, Anandapuram Village and Mandal, Visakhapatnam District-530052, Aadhar Card No.3535 4887 6569.
- (The Petitioners 2 and 3 are being minors represented their mother i.e.,
1st Petitioner as natural guardian)

...Petitioners

And:

1. Tompa Tejesh @ Tejeswara Rao, S/o. Late Thavitayya, Hindu, age 42 years, Residing at D.No.1-64, Pattu Sali Peta Village, Arinam, Akkivalasa Panchayathi, Etcherla Mandal, Srikakulam District. (Driver of Tractor bearing Regd.No.AP 30 11 0270).

For ICICI Lombard GIC Ltd.


Legal Manager

V. Padma

2. Arilli Krishna, Son of Surya Rao, Hindu, aged 45 years, resident of Pedda Kothapalli Village, Adapaka Post, Laveru Mandalam, Srikakulam District-532001, A.P. (Owner of Tractor bearing Regd.No.AP 30 U 0270).

3. ICICI Lombard General Insurance company Limited, Represented by its branch manager, T-6, 4th Floor, The Land Mark, Sampath Vinayaka Temple Road, Waltair Uplands, Visakhapatnam-530003, Policy No.3008/231472982/00/B00 period of Insurance Valid from 10.11.2021 to 09.11.2022.

...Respondents

BRIEF PARTICULARS OF THE PETITION:

This petition is filed claiming compensation for the death of Vanumu Bangaru Raju S/o Appanna in a Motor accident occurred on 14.04.2022 at about 6.30 AM. Anandapuram Bridge at Bus Stop, NH-16 road, Anandapuram Mandal, Visakhapatnam District. This petition is referred to the National Lok Adalat on the request of both parties/on memo filed by the Advocate for the Petitioners.

This petition is coming on 09.09.2023 for final settlement in the presence of Petitioners and the Respondent No.3 and Sri **BOTTA NARASINGA RAO** Advocate for the petitioners and Sri **D.SIMHADRY** Advocate for the Respondent No.3 and they submitted that they have agreed for amicable settlement and filed terms of Compromise with due verification and their consent. Hence, the following Award is passed as per the settlement arrived by the parties.

AWARD UNDER SEC.21 OF THE LEGAL SERVICES AUTHORITIES ACT, 1987

1. Petitioner/s and Authorized Officer of Respondent No.3 present and that the matter is settled for a sum of Rs.12,00,000/- (Rupees Twelve Lakhs only) towards full and final settlement of the claim without interest and costs.
2. The Lok Adalat Bench satisfied, thus passed the Award accordingly U/s.21 of the Legal Services Authority Act, 1987 and the Compensation amount to be deposited within one month from the date of Award.
3. If the Respondent No.3 does not deposit the above amount within one month from the date of the Award, the amount so Awarded shall carry interest at the rate of 7.5% per annum from the date of the Award.

APPORTIONMENT

- The 1st Petitioner is entitled to Rs.4,00,000/- (Rupees Four Lakhs only)
- The 2nd Petitioner is entitled to Rs.2,00,000/- (Rupees Two Lakhs Thousand only)
- The 3rd Petitioner is entitled to Rs.2,00,000/- (Rupees Two Lakhs Thousand only)
- The 4th Petitioner is entitled to Rs.2,00,000/- (Rupees Two Lakhs Thousand only)
- The 5th Petitioner is entitled to Rs.2,00,000/- (Rupees Two Lakhs Thousand only)

V. Padma

For ICICI Lombard GIC Ltd.

[Signature]
Legal Manager

4. DISBURSEMENT:

(a) On deposit, the 1st Petitioner is permitted to withdraw entire amount of Rs.4,00,000/- (Rupees Four Lakhs only) in her favour i.e., Vanumu Padma, W/o late Bangaru Raju and same was credit into the 1st Petitioner Bank, SB Account No.072510100149403 of Union Bank of India (Formerly Andhra Bank), Anandapuram Branch, Anandapuram Mandalam, Visakhapatnam vide IFSC Code:UBIN0807257.

(b) The 2nd Petitioner is being minor her compensation amount i.e., Rs.2,00,000/- (Rupees Two Lakhs Thousand only) should be kept in FDR in any National Bank upto she attained majority.

(c) The 3rd Petitioner is being minor his compensation amount i.e., Rs.2,00,000/- (Rupees Two Lakhs Thousand only) should be kept in FDR in any National Bank upto he attained majority.

(d) the 4th Petitioner is permitted to withdraw entire amount Rs.2,00,000/- (Rupees Two Lakhs Thousand only) in her favour i.e., Vanumu Bangaramma, W/o Appanna and same was credit into the 4th Petitioner Bank, SB Account No.072510021041265 of Union Bank of India (Formerly Andhra Bank), Anandapuram Branch, Anandapuram Mandalam, Visakhapatnam vide IFSC Code:UBIN0807257.

(e) the 5th Petitioner is permitted to withdraw entire amount Rs.2,00,000/- (Rupees Two Lakhs Thousand only) in his favour i.e., Vanumu Appanna, S/o late Appanna and same was credit into the 5th Petitioner Bank, SB Account No.072510011012732 of Union Bank of India (Formerly Andhra Bank), Anandapuram Branch, Anandapuram Mandalam, Visakhapatnam vide IFSC Code:UBIN0807257

5. The Claimants/Petitioners shall file heir attested copies of Passbook of Nationalized Banks, for depositing the permitted withdrawal of Compensation as in Point No.4(a) amount by the Insurance Companies/Other parties, who are liable to pay the compensation, directly to pay the Award amount in the respective accounts by NEFT/RTGS in terms of the directions of Hon'ble Supreme Court of India in "Bajaj Allianz General Insurance Company Pvt. Ltd. Vs. Union Bank of India & Others".

6. In case of non-furnishing of attested copies of Passbook of Nationalized Banks as in Point No.5, the Insurance Company/Other parties, who are liable to pay compensation amount which is ordered to be paid to the parties as in Point No.4(a), shall deposit in Savings Bank A/c.No.0462001700005601, IFSC Code PUNB0046200, MICR Code:530024001 of Punjab National Bank, LIC Building Branch, Visakhapatnam in the name of Chairman, Motor Accident Claims Tribunal, Visakhapatnam as to pay to the parties as per the Award.

7. The Insurance Company/Other parties, who are liable to pay compensation amount which is ordered to be kept in FDR as in Point No.4(b), shall deposit in Savings Bank A/c.No.0462001700005601, IFSC Code PUNB0046200, MICR Code:530024001 of Punjab National Bank, LIC Building Branch, Visakhapatnam in the name of the Chairman, Motor Accident Claims Tribunal, Visakhapatnam to take the FDR as per the Award.

V. Padma

For ICICI Lombard GIC Ltd.

U. Appa
Legal Manager

8. The settlement between Claimant/Petitioners and Insurers/Respondent No.3 shall be without prejudice to insurance policy & conditions, and claim against insurance policy shall stand lifted with effect.

The Court Fee paid, shall be refunded under Section 24(1) of Section 2 of the Legal Services Authorities Act, 1987.

Both parties have affixed their signatures in evidence of their consent to the terms of Award.

1. V. Prasad

V. Prasad

2.

3. V. Prasad

4. LTI of V. Prasad

5. LTI of V. Prasad

Signature/Thumb Impression of the Petitioner/s
(The Petitioners 1 and 2 are being insured represented their mother i.e. 4th Petitioner as natural guardian)

Legal Manager
Signature of Respondent No.3
(Insurance Company)

B. Narayana Rao
Signature of Advocate for Petitioners

Advocate for the Respondent No.3

Given under our hands and the seal of National Lok Adalat Bench on this the 09th day of September, 2023 at District Legal Services Authority, Visakhapatnam

1. M. Govindarao

2. M. Govindarao 9/9/23

MEMBERS OF THE BENCH

PRESIDING OFFICER NATIONAL LOK ADALAT BENCH VISAKHAPATHNAM

It Certified to be True Copy
Shri M. Govindarao Secretary
District Legal Services Authority
Visakhapatnam