

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**



2020:TSHC:6494

FRIDAY, THE TWENTY EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND TWENTY

PRESENT

THE HONOURABLE SRI JUSTICE A.ABHISHEK REDDY

M.A.C.M.A.NO: 862 OF 2011

Appeal under Section 173 of M.V. Act against the Order and decree made in M.V.O.P.No.497 of 2008 dated 04.02.2011 on the file of the Court of the Special Judge for Trial of Offences under SC/ST (POA) Act –cum- V Additional District and Session Judge, Medak at Sanga Reddy.

Between:

M.Saibaba, S/o. Babaiah, Aged 42 years, Occ: Government Teacher,
R/o. Madumpally Village, Munipally Mandal, Medak District.

...APPELLANT/CLAIMANT

AND

1. M/s. Maheshwari Products rep. by Harish P. Shah owner of Lorry No. GJ-10W-7878, R/o. Navgamghad Jamnagar, Gujarat State C/o. Supreme Road Lines, Railway Sailing, Indira Marg, Near Fanji Dhaba at Jamnagar, Gujarat.
2. M/s. Bajaj Allianz General Insurance Co. Ltd., Rep. by its Manager, Bajaj Allianz General Insurance Company Ltd., at Begumpet, Hyderabad.

...RESPONDENTS/RESPONDENTS

Counsel for the Appellant: SRI. C. PRATAP REDDY

Counsel for the Respondent No.2: SRI A. RAMAKRISHNA REDDY

The Court delivered the following: JUDGMENT



2020:TSHC:6494

THE HON'BLE SRI JUSTICE A.ABHISHEK REDDY

M.A.C.M.A.No.862 OF 2011

JUDGMENT:

Heard.

In the light of the terms of compromise which have been agreed upon and settled before the Lok Adalat, and also in terms of the Award, dated 14.12.2019, passed by the Lok Adalat, the M.A.C.M.A. is disposed of.

The miscellaneous petitions pending, if any, shall stand closed.

There shall be no order as to costs.

**SD/-CH.VENKATESHWAR
ASSISTANT REGISTRAR**

//TRUE COPY//

SECTION OFFICER

To,

1. The Special Judge for Trial of Offences under SC/ST (POA) Act --cum- V Additional District and Sessions Judge, Medak at Sanga Reddy. (with records)
2. One CC to SRI. C. Pratap Reddy, Advocate [OPUC]
3. One CC to Sri. A. Ramakrishna Reddy, Advocate [OPUC]
4. Two CD Copies

(Along with a Copy of Lok Adalat Award)

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HIGH COURT



2020:TSHC:6494

DATED: 28/02/2020

JUDGMENT

MACMA.No.862 of 2011



DISPOSING OF THE MACMA IN TERMS OF
LOK ADALAT AWARD

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HMA
13/03/2020,

BEFORE THE LOK ADALAT

HELD AT HYDERABAD

(Organized by High court Legal Services Committee High court of Judicature at Hyderabad for the state of Telangana)

(Under section 19 of the Legal Services Authorities Act 1987 (Central Act))

MA CMA NO. 862 of 2011

(Before Hon'ble High court of Judicature at Hyderabad)

Against Order in OP No.497/2008 on the file of the MACT- District Judge- Nizamabad)

2020:TSHC:6494

Appellant/petitioner	: 1. Smt. Burre Sayavva @ Sayamma w/o Late Burre Gangaram, aged 36 years, occu: House hold. 2. Burre Nithya D/o late Burre Gangaram, aged 16 years, occu: Student 3. Burre Neha D/o late Burre Gangaram, aged 15 years, occu; student, 4. Burre Nadipi Gangaram, s/o Burre Pothanna, aged 62 years, occu: at present Nil. (died) R/o Ramchandrapally village of Makloor mandal, Dist. Nizamabad
Respondent No.1	: National Insurance company Ltd., represented by its Branch Manager, Branch Office: Nizamabad
Respondent No.2	: Smt.G.Gangamani w/o Rajaram, aged major, occu: Owner of the Mahindra Van bearing No.AP-25-V-4437 R/o H.No. 3-23, Mamidipally village of Armoor mandal, Dist. Nizamabad

NO. OF PROCEEDINGS OF THE HIGH COURT LEGAL SERVICES COMMITTEE:
ORDER ROC. NO.151/HCLSC/2019 DT.11-12-2019

Present:

Name of Chairman : **Hon'ble Sri Justice P.Naveen Rao,**
Judge, High court for the
State of TelanganaName of Members : 1) **Sri Pathipaka Ram Prasad,**
Advocate, High court for the state
of Telangana
2) **Smt.R.Madhavi Latha,** Advocate
High court for the state
of Telangana/Social WorkerAWARD

The dispute 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 settlement.



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1. The appellant herein and Sri Azar Shravan Kumar and Sri Azar Kishan Rao, advocates for the appellant and the respondent No.1 through Ms.Sujatha K.Kumar, Manager, for National Insurance company Limited and their counsel are present. The matter has been settled amicably between the parties.

2. That the respondent/respondent No.1 agreed to pay enhanced compensation of Rs.3,00,000/- (Rupees three lakhs only) against the awarded amount of Rs.4,60,000/- (Rupees four lakhs sixty thousand only).

3. That the respondent/insurance company is to deposit an amount of Rs.3,00,000/- (Rupees three lakhs only) within a period of two (2) months from the date of receipt of a copy of this award. In the event of default, the agreed amount shall carry interest at 6% per annum from the date of default.

4. The appellant/claimant No.1 is permitted to withdraw a sum of Rs.2,50,000/- (Rupees two lakhs fifty thousand only) and the appellants/claimants No.2 and 3 are apportioned Rs.25,000/- (Rupees twenty five thousand only) each. It is reported that the appellant/claimants No.4 died.

5. The appellant/claimant No.1 is permitted to withdraw her enhanced share amount as and when deposited by the insurance company.

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

6. No order as to the costs of appeal

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Appellant

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से नेशनल इन्सुरेन्स के. लि.
For National Insurance Co. Ltd.

अधिकृत हस्ताक्षरकर्ता
Authorised Signatory

Respondent No.1

Sravan

Counsel for appellant

Counsel for Respondent No.1

P. Sreenivas
Chairman

Rana
Member

m/h
Member

Date: 14-12-2019



Seal of the committee