

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE P.D.RAJAN

TUESDAY, THE 31ST DAY OF JULY 2018 / 9TH SRAVANA, 1940

MACA.No. 1934 of 2012

(AWARD DATED 03/04/2012 IN OPMV 334/2009 OF THE MOTOR ACCIDENTS CLAIMS
TRIBUNAL, KALPETTA)

APPELLANT/PETITIONER

M.LATHEEF
S/O. ABDULLA, MARUNNAN HOUSE, NALLOORNAD POST,
MANANTHAVADY, WAYANAD DISTRICT.

BY ADV.SMT.CELINE JOSEPH

RESPONDENT/RESPONDENT NO.3

THE BRANCH MANAGER,
THE ORIENTAL INSURANCE COMPANY LTD., NO. 17/A, KRISHNAGIRI
ROAD, SKS COMPLEX, RANIPET, TAMIL NADU-632401.

R. BY ADV. SRI.GEORGE CHERIAN (SR.)
R. BY ADV. SMT.K.S.SANTHI
R BY SRI.GEORGE CHERIAN (THIRUVALLA)

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD
ON 31-07-2018, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

mks
02/08/2018

P.D. RAJAN, J.

M.A.C.A. No.1934 of 2012

Dated this the 31st day of July, 2018

J U D G M E N T

This appeal is preferred against the award in O.P.(M.V.) No.334 of 2009 of the Motor Accidents Claims Tribunal, Kalpetta. The appellant sustained injuries in a motor accident and the learned Tribunal awarded a sum of Rs.15,000/- (Rupees Fifteen Thousand only) with interest and proportionate cost. Being dissatisfied with that, he preferred this appeal.

2. When the matter came up for hearing, the learned counsel appearing for the appellant submitted that the parties have settled the matter for a total sum of Rs.89,000/- (Rupees Eighty Nine Thousand only) in addition to the award amount. The above settlement amount includes 4.5% interest and cost. In the circumstance, the above compromise is recorded and the case is settled for Rs.89,000/- (Rupees Eighty Nine Thousand only). The insurer shall deposit the amount within 60 days from the date of receipt of a copy of this judgment, failing which it will carry 12% interest from the date of default. The terms and conditions of the compromise shall form part of the judgment.

Sd/-
P.D.RAJAN,
JUDGE
*/True Copy/
P.A. To Judge*

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THE HONOURABLE MR. JUSTICE P.D.RAJAN

TUESDAY, 31st DAY OF JULY, 2018/9th SRAVANA, 1940

MACA.No. 1934 of 12

COMPROMISE AGREEMENT

Appellant

: Lalheef

Respondent

: Oriental Insurance Co. Ltd.

The dispute between the parties have been settled out of court and a compromise has been entered into between them as per the following conditions.

Parties agreed to settle the dispute for an amount of Rs. 89,000/- (..... Eighty nine thousand only.....) in addition to the award amount. The above amount includes 4.5% interest and cost. The insurer agreed to deposit the amount within 60 days from the date of receipt of a copy of this judgment.

Appellant

Date: 31/7/18

C. M. Joseph
Counsel for the
appellant.

Respondent



Usha Kumari A. J.
31/7/18
उषा कुमारी. ए. जे.
USHA KUMARI A. J.
प्रशासनिक अधिकारी
ADMINISTRATIVE OFFICER