

IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD

FRIDAY ,THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND TWENTY THREE

PRESENT

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

M.A.C.M.A.No.1323 of 2015

Appeal Under Section 173 of Motor Vehicles Act against the order and decree in M.V.O.P.No.363 of 2009, dated 21-08-2014 on the file of the Court of the Chairman, Motor Accidents Claims Tribunal -Cum-Judge, Family Court-Cum Additional District Judge at Karimnagar.

Between:

Bajaj Allianz General Insurance Co. Ltd., represented by its Manager (Legal), Far East Plaza, II Floor, 3-6-111/8, Street No.18, Himayathnagar, Main Road, Hyderabad.

...APPELLANT/RESPONDENT No.3

AND

1. Md. Khalleluddin, S/o Md.Aleemuddin, aged 27 years, Occ: Driver, of Indica Car No. MH-05-H-4321, R/o H.No. 10-6-118/1, Kisannagar, Karimnagar.

...RESPONDENT/PETITIONER

2. Noothi Gopal, S/o Kantaiah, aged 33 years, Caste: Carpenter, Occ: driver of Lorry No.AP-01W 7016, R/o Near Old Police Station, Thiryani Village & Mandal, Adilabad District.
3. Ram Mohan Rao, S/o Shankaraiah, aged 72 years, Occ: Owner of Lorry A.P-01W 7016, R/o D.No. 7-67, Gopalnagar, Tadur, Adilabad District.
4. M.A.Rahman, S/o Mujeeb-Uz-Zafar, aged 36 years, Occ: Student, B.D.S., R/o H.No. 3-4-244, Sawaran Street, Karimnagar.
5. M.A.Rafay, S/o Late Mujeeb-Uz-Zafar, aged 36 years, Occ:Pvt Employee, H.No. 3-4-244, Sawaran Street, Karimnagar.
6. M.A.Nafay, S/o Late Mujeeb-Uz-Zafar, aged 33 years, Occ: Un-Employee, H.No. 3-4-244, Sawaran Street, Karimnagar.
7. Md.Basheer Hussain, S/o late Mujeeb-Uz-Zafar, aged 30 years, Occ: Student, H.No. 3-4-244, Sawaran Street, Karimnagar.

8. Ayesha Tazheer W/o Salam Zubair, aged 36 years, Occ: House Hold, H.No. 3-4-244, Sawara Street, Karimnagar.
9. The Oriental Insurance Co Ltd., Rep by its Divisional Manager, Opp. Collectorate Complex, Karimnagar.

...RESPONDENTS/RESPONDENTS 1, 2, 4 to 10

I.A. NO: 3 OF 2015(MA CAMP. NO: 1591 OF 2015)

Petition under Section 151 CPC praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to grant stay of all further proceedings including execution of order and decree dated 21/08/2014 in MVOP.No.363 of 2009 in the court, Chairman, MACT-cum-Judge, Family Court-cum-Additional District Judge at Karimnagar, pending disposal of the MACMA.

Counsel for the Appellant: SMT. T.V. SRI DEVI

Counsel for the Respondent No.1: SRI MIRZA NISAR AHMED BAIG NIZAMI

Counsel for the Respondent No.3: SRI T. PARIPURNA CHARY

Counsel for the Respondent No.9: SRI M. SATISH REDDY

Counsel for the Respondent Nos.2, 4 to 8: NONE APPEARED

The Court delivered the following: JUDGMENT

THE HON'BLE SRI JUSTICE NAMAVARAPU RAJESHWAR RAO

M.A.C.M.A.NO.1323 OF 2015

JUDGMENT:

Pursuant to the request made by the counsel appearing for both the parties, the matter was referred to Lok Adalat.

The matter was settled before the Lok Adalat and an award was passed by the Lok Adalat on 12.11.2022.

In view of the above, the M.A.C.M.A is disposed of in terms of the award passed by the Lok Adalat. There shall be no order as to costs.

Miscellaneous Petitions, if any, pending shall stand closed.

Sd/-MOHD.ISMAIL
ASSISTANT REGISTRAR
//TRUE COPY//

SECTION OFFICER

To,

1. The Chairman, Motor Accidents Claims Tribunal -Cum-Judge, Family Court-Cum Additional District Judge at Karimnagar. (with records)
2. One CC to Smt. T.V. Sridevi, Advocate [OPUC]
3. One CC to Sri M. Satish Reddy, Advocate [OPUC]
4. One CC to Sri Mirza Nisar Ahmed Baig Nizami, Advocate [OPUC]
5. One CC to Sri T. Paripurna Chary, Advocate [OPUC]
6. Two CD Copies

(Along with a Copy of Award Lok Adalat dated 12.11.2022)

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HIGH COURT

DATED: 31/03/2023

JUDGMENT

MACMA.No.13/ 3 of 2015



**DISMISSING THE MACMA
IN TERMS OF LOK ADALAT AWARD
WITHOUT COST'S**

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27/4/23

BEFORE THE LOK ADALAT
HIGH COURT LEGAL SERVICES COMMITTEE
(HIGH COURT FOR THE STATE OF TELANGANA, HYDERABAD)

[Under Section 19 of the Legal Services Authorities Act, 1987 (Central Act)]

Date: 12-11-2022

Present: 1. Hon'ble Sri Justice K.Sarith
(Judge, High Court for the State of Telangana)
Chairman
2. Smt.P.Sujatha, Advocate,
Member
3. Sri G.Nagesh, Advocate,
Member

MACMA.No.1323 of 2015

(Before the Hon'ble High Court)

AGAINST

M.V.O.P.No.363 of 2009

(On the file of the Judge, Family Court-Cum-Addl. Dist. & Sessions Judge, Karimnagar)

Between:

Bajaj Allianz General Insurance Co Ltd.,
represented by its Manager (Legal),
Far East Plaza, II Floor, 3-6-111/8,
Street No.18, Himayathnagar,
Main Road, Hyderabad.

AND

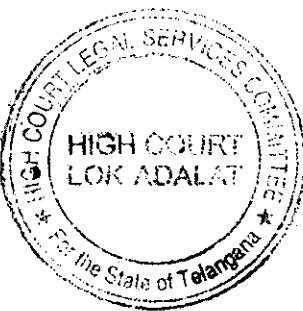
...Appellant / Respondent No.3.

1. Md.Khaleeluddin, S/o Md.Aleemuddin
aged 27 years, Occ: Driver, of Indica Car
No. MH-05-H-4321,
R/o H.No. 10-6-118/1, Kisannagar,
Karimnagar.

...Respondent/Petitioner

2. Noothi Gopal, S/o Kantaiah,
aged 33 years, Caste: Carpenter,
Occ: driver of Lorry No.AP-01 W 7016,
R/o Near Old Police Station,
Thiryani Village & Mandal,
Adilabad District.

3. Ram Mohan Rao, S/o Shankaraiah,
aged 72 years, Occ: Owner of Lorry A.P-01W 7016,
R/o D.No.7-67, Gopalnagar,
Tadur, Adilabad District.



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Sujatha

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4. M.A.Rahman, S/o Mujeeb-Uz-Zafar, aged 36 years. Occ: Student, B.D.S., R/o H.No.3-4-244, Sivaran Street, Karimnagar.
5. M.A.Rafay, S/o Late Mujeeb-Uz-Zafar, aged 36 years, Occ: Employee, H.No.3-4-244, Sivaran Street, Karimnagar.
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7. Md.Basheer Hussain, S/o late Mujeeb-Uz-Zafar, aged 30 years, Ccc Student, H.No.3-4-244, Sivaran Street, Karimnagar.
8. Ayesha Tazheen, W/c Salam Zubair, aged 36 years, Occ House Hold, H.No. 3-4-244, Sivaran Street, Karimnagar,
9. The Oriental Insurance Co Ltd, R/o by its Divisional Manager, Opp. Collectorate Complex, Karimnagar.

...Respondents, Respondents 1,2,4 to 10

AWARD

1. This is an appeal filed by the Appellant/Insurance Company.
2. The Learned counsel for the Appellant/Insurance Company represented that the Insurance Company is withdrawing the appeal filed by it.
3. The said representation is recorded and the appeal is dismissed as withdrawn, confirming the judgment and decree of the Court/Tribunal below. The amount if any remaining unpaid to the claimant(s) shall be paid by the Insurance Company within one month from the date of receipt of the award, along with interest.
4. The Respondent/Petitioner is permitted to withdraw the entire amount.

Deependra Singh

- 5. This Award shall be subject to verification of cross appeal/cross objection, if any, filed by the Respondents, otherwise the parties are at liberty to apply for recall of this Order/Award.
- 6. Court fee paid on this appeal shall be refunded.
- 7. No costs.

For Bajaj Allianz General Insurance Co. Ltd.

D. Sanjosh
Authorized Signatory

Appellant/Respondent No.3
Insurance Company

CHAIRMAN

Eryathra
MEMBER

Parag
MEMBER

