

ITEM NO.16

LOK ADALAT NO.1

SECTION XIA

SUPREME COURT LOK ADALAT

CIVIL APPEAL NO.2841 OF 2009 @
Petition(s) for Special Leave to Appeal (Civil) No(s).2270/2008

(From the judgement and order dated 09/01/2007 in MFA No.676/2002(D) of The HIGH COURT OF KERALA AT ERNAKULAM)

POORNIMA (MINOR)

Appellant(s)

VERSUS

C.C.MADHOSOODHANAN & ORS.

Respondent(s)

(With appln.(s) for c/delay in filing SLP and with prayer for interim relief and office report)

Date: 25/04/2009 This appeal was taken up today for settlement.

CORAM :

HON'BLE Dr. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE P. SATHASIVAM

For Appellant(s)

Mr.Hari Kumar G., Adv.
for Mr.A.Venayagam Balan, Adv.

For Respondent(s)

Mr.Yashpal Dhingra, Adv.
Mr. A.K.De,Adv.

This matter was taken up at the Supreme Court Lok Adalat with the consent and agreement through their counsel. The following order/award is passed :-

Delay condoned.

Leave granted.

The appellant, who was aged about 3 years and 10 months at the time of the accident on 26.03.1995, received serious injuries. A claim petition was filed. The M.A.C.T., Thrissur awarded a compensation of Rs.73,000/-. An appeal was preferred by the

appellant before the Kerala High Court, which enhanced the amount by Rs.3,16,250/-. The appellant is in appeal before this Court.

Having heard learned counsel for the parties, we direct that, in full and final settlement of the claim of the claimant, a sum of Rs.9.5 lacs (Rupees nine lacs fifty thousand only) be paid. It is stated that certain amounts have been deposited, pursuant to the orders passed by the M.A.C.T. and the High Court. After adjustment of the amounts already deposited, the balance amount shall be paid within a period of four weeks. It is prayed by learned counsel for the appellant and, in our opinion, very fairly, the awarded amount can be kept in a fixed deposit in a nationalized bank. Out of the sum of Rs.9.5 lacs, let an amount of Rs.7 lacs be kept in a fixed deposit with the mother of the appellant as the guardian.

The appeal is disposed of accordingly.

(P.Sathasivam)

(Dr.Arijit Pasayat)

