

**Moideen vs Subhadradevi N.P**

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**SooperKanoon Citation :** [sooperkanoon.com/1293151](http://sooperkanoon.com/1293151)

**Court :** Kerala

**Decided On :** Mar-27-2024

**Judge :** Honourable Mrs. Justice C.S. Sudha

**Appeal No. :** MACA/2633/2016

**Appellant :** Moideen

**Respondent :** Subhadradevi N.P

**Judgement :**

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT THE HONOURABLE MRS. JUSTICE C.S. SUDHA  
ON 27TH DAY OF MARCH 2024 / 7TH CHAITHRA, 1946  
IN CASE No. 2633 OF 2016 AGAINST THE ORDER DATED 30.10.2015 IN  
O.M.N.R. No. 551 OF 2011 OF MOTOR ACCIDENT CLAIMS TRIBUNAL,  
PERMANENT APPELLANT/PETITIONER: MOIDEE BEN, AGE 60 YEARS,  
S/O. MUHAMMAD, THAILAN VEEDU, KALIPPUR RIKKARA, NORTH  
EZHIPPAM, VAZHAKULAM, REPRESENTED BY HIS WIFE AND  
AUTHORIZED AGENT SMT. RAJESH MOIDEEN, THAILAN VEEDU,  
KALIPPUR RIKKARA, N. EZHIPPEREN, BY ADV K.K. MOHAMED RAVUF  
RESPONDENTS/RESPONDENTS: SUBHADRADEVI H. P., W/O.  
PRASANNAKUNIM, THEKKETCHUZH KUNNII, HOUSE, AIN RAVATH

p.o. , KUMIL, IDUKKI DISTRICT-685 602. PRASENATHAN , S/O. SANKARAN NAIR, THEKKUCHUZHICKUNNI. HOUSE, AMRMAVATH p.o. , KUMIL, IDUKKI DISTRICT-685 602. ICICI LOMBARD MOTOR INSURANCE COMPANY LIMITED, BENCH OFFICE, KOTTAYAM. BY ADVS . SRI. I.ATHEESH SEBASTIAN THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING COME UP FOR ASSIGNMENT ON 27.03.2024, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING :

**C.S.SUDHA, J.**

-----I Dated this the 27th day of  
March 2024

## **JUDGMENT**

The matter is settled between the parties. Joint statement dated of the joint statement. The joint statement shall form part of the

### **judgment and decree.**

SD/- C.S.SUDHA JUDGE at BEFORE THE HON'BLE HIGH COURT OF KERALA AT EENAKULAM M A C A 2633 of 2016 : APPELLANT /PETITIONER MOIDEEN [C/C] GENERAL INSURANCE CO. LTD. RESPONDENT 1.

1. The line above subject appeal arising, is filed ..T\_, from the judgment in O.P.(in.v) Accidents Claims Tribunal Perumbavoor. The court below passed the award for an amount of Rs.4,18,097/-with interest and costs

2. Being aggrieved by the award the claimant has filed this appeal before this court for

enhancement of compensation. During the pendency of the case, the matter has been settled between the appellant and the insurer of the offending vehicle. The respondent insurer agreed to pay a further amount of 4,00,000/-including interest as additional compensation in the above appeal.

3. The respondent thereby agrees to transfer the above amount of Rs.4,00,000/- (Rupees Four Lakh only) to the account of the appellant Moideen within a period of two

months from the date of receipt of the copy of the judgment from the Honourable High Court of Kerala, failing which the said amount will carry interest at 9% from the date of default.

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