

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat- I organised by the High Court Legal Services Committee

Monday, the 17th day of August, 2015

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

Mr.R. Muthian
Mr.M.Shankar

C.M.A.No.1316 of 2015

(Appeal against the Judgment and decree passed on 07.01.2015 made in M.C.O.P.No.1452 of 2012 on the file of the Motor Accident Claims Tribunal, (IV Small Causes Court) Madras).

The Oriental Insurance Company Ltd.,
D.O.8, New No.89, Shree Pankaj Complex,
Perambur Barracks Road, Purasawalkam,
Chennai - 600 007. ...Appellant/Respondent 2

Vs.

1.N.G. Naveen Kumar ...Respondent 1/Petitioner
2.Duraivelu ... Respondent 2/Respondent
(R-2 was set ex parte before the Tribunal)

This case came up for settlement before the Lok Adalat. The learned counsel for the appellant, Mr.S.Manohar and the learned counsel for the first respondent, Mr.T.Suresh are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The appeal in C.M.A.No.1316 of 2015 pending on the file of High Court, Madras and preferred against the award passed in M.C.O.P.No.1452 of 2012 on the file of the Motor Accident Claims Tribunal, (IV Small Causes Court) Madras has been referred to Lok Adalat for conciliation today.

2. Both the parties are present with their respective counsel.

3. The Tribunal has awarded a sum of Rs.6,52,200/- with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit. The appellant / Insurance Company officials reported that they have already deposited only a portion of the

award amount before the Tribunal.

4. Aggrieved against the award of the Tribunal, the appellant/Insurance Company has preferred the present appeal.

5. After great deliberation and discussion, both the parties have compromised the disputed claim at Rs.4,25,000/- (Rupees Four Lakhs Twenty Five Thousand only) with interest at the rate of 7.5% p.a. from the date of petition till the date of deposit. The appellant Insurance Company is directed to deposit the modified award amount with interest, after deducting the amount already deposited, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the first respondent is permitted to withdraw the modified award amount without filing any formal petition. Award is passed accordingly. Consequently, connected miscellaneous petition, if any, is closed.

6. The Tribunal is directed to issue the cheque to the party concerned on proper identification by their counsel concerned appearing before the Tribunal, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-

The Oriental Insurance Company Ltd.,
D.O.8, New No.89, Shree Pankaj Complex,
Perambur Barracks Road, Purasawalkam,
Chennai - 600 007.

Sd/-

Counsel for the Appellant

Sd/-

N.G. Naveen Kumar

Sd/-

Counsel for the Respondent-1

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the appellant in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Sd/-
Member

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

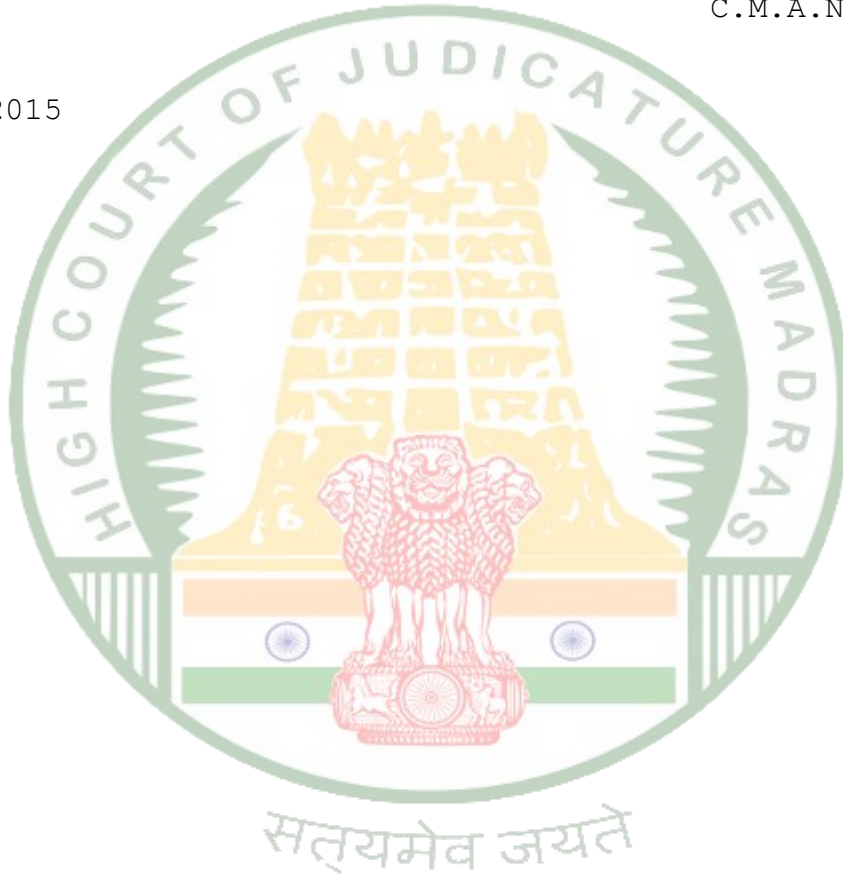
To
The parties/Advocate concerned

Copy to

- 1.The Motor Accidents Claims Tribunal, (IV Small Causes Court) Madras.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.

C.M.A.No.1316 of 2015

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