

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee

Tuesday, the 28th day of July, 2015

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
The Hon'ble Mr.JUSTICE N.V.BALASUBRAMANIAN (Retd.)
and

Members

Mr.V.C.Suresh
Mrs.R.Gouri

CMA.No.1437 of 2015

(Appeal against the judgment and decree passed on 01.11.2014
in M.C.O.P.No.3951 of 2010 on the file of the Motor Accidents
Claims Tribunal (V Court of Small Causes) Chennai).

National Insurance Co., Ltd.,
Flat No.101-106, 1st Floor,
N1, BMC House,
Connaught Palace,
New Delhi - 110 001. ...Appellant

Vs.

1.P. Srinivasalu
2.MECSYS INCORPORATES
No.Sp 47-B, Ambattur,
Industrial Estate,
Ambattur, Chennai - 53. .. Respondents
(R-2 was set ex parte before the Tribunal)

On representation of the learned counsel for both sides, this case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.R. Ravi Chandran and Ms.R.Sree Vidhya and the learned counsel for the first respondent, Mr.S. Ravikumar 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 Tribunal has awarded a sum of Rs.6,01,000/- with interest at 7.5% per annum from the date of petition till the date of deposit as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.3,01,000/- (Rupees Three Lakhs and One Thousand only) with interest at 7.5% per annum from the date of petition till the date of deposit.

3. The appellant / Insurance Company is directed to deposit the modified award amount with interest within a period of six weeks from the date of receipt of a copy of this order, after deducting the amount already deposited, if any. On such deposit, the claimant / first respondent is permitted to withdraw the modified award amount with interest without filing any formal petition. Award is passed accordingly.

4. The Tribunal is directed to issue the cheque to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

Sd/
National Insurance Co., Ltd.,
Flat No.101-106, 1st Floor,
N1, BMC House, Connaught Palace, Sd/
New Delhi - 110 001. Counsel for the appellant

Sd/ Sd/
P. Srinivasalu Counsel for the first respondent

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

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and 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/ Judge
Sd/ Member Sd/ Member
सत्यमेव जयते

WEB COPY

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

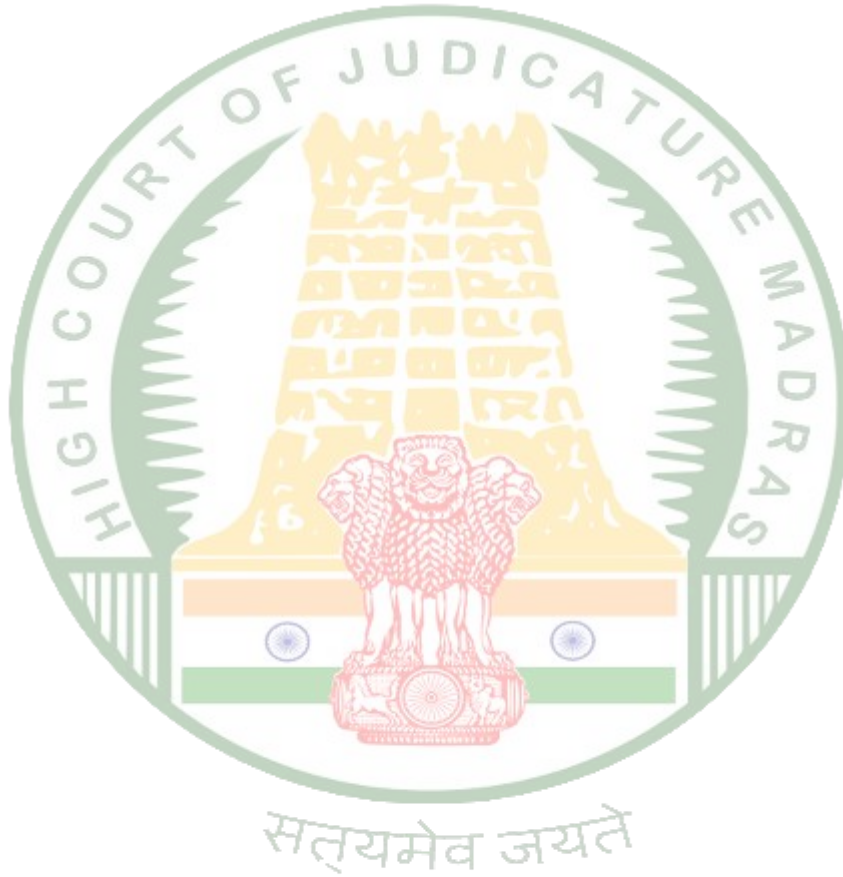
To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal (V Court of Small Causes), Chennai.
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.

CMA.No.1437 of 2015

TS (CO)
kk 7/8



WEB COPY