

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat- II organised by the High Court Legal Services Committee
Thursday, the 06th 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

Ms.V.Ahalya
Ms.P.Vijayalakshmi

C.M.A.No.429 of 2015

(Appeal against the award passed on 09.10.2013 made in
M.A.C.T.O.P.No.752 of 2011 on the file of the Motor Accidents
Claims Tribunal, II Additional District Judge, Pondicherry)

1.Subramanian

2.Baskaran (No amount has been awarded
by the Tribunal) .. Appellant/Petitioner

Vs.

1.Visalakshi

2.The Divisional Manager,
New India Insurance Company Limited,
No.62-A, Jawaharlal Nehru Street,
Puducherry - 1 .. Respondents/Respondents
(1st respondent was set ex-parte
and hence given up)

This case is came up for settlement before the Lok Adalat.
Both parties are present. The learned counsel for the appellants
Mr.R.Sreedhar, and the learned counsel for the second respondent
Mr.J.Chandran 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.429 of 2015 pending on the file of High
Court, Madras and preferred against the award passed in the
M.A.C.T.O.P.No.752 of 2011 on the file of II Additional District
Judge, Puducherry has been referred to Lok Adalat for conciliation
today.

2. The first appellant / claimant, who is the petitioner
before the Tribunal is present along with his counsel and the
second respondent / New India Insurance Company Limited,

Puducherry, represented by its Manager, Mr.Prabhakar Rao, and assisted by counsel are present before the Lok Adalat for conciliation today.

3. This is a case of fatal. Not satisfied with the award of the Tribunal, the claimants / appellants have preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.2,30,000/- (Rupees Two Lakhs Thirty Thousand only) in full quit as additional compensation as against the Tribunal award of Rs.58,000/- with interest at 7.5% p.a. from the date of petition i.e., from 28.09.2011 till payment by the second respondent herein.

4. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the second respondent/ New India Insurance Company Limited, shall pay a sum of Rs. 2,30,000/- (Rupees Two Lakhs Thirty Thousand only) in full quit as additional compensation in addition to the award already passed by the Tribunal to the first appellant within a period of four weeks from the date of receipt of a copy of this award.

5. The first appellant is permitted to withdraw the additional award amount of Rs.2,30,000/- in full quit and balance amount if any, out of award amount without filing any formal petition before the Competent Court. Award is passed accordingly.

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

Sd/-
Subramanian

Sd/-
Counsel for the Appellants

Sd/-
The Divisional Manager,
New India Insurance Company Limited,
No.62-A, Jawaharlal Nehru Street,
Puducherry - 1.

Sd/-
Counsel for the second Respondent

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/-
Judge

Sd/-
Member

Sd/-
Member

Sd/-
Assistant Registrar

//True Copy//

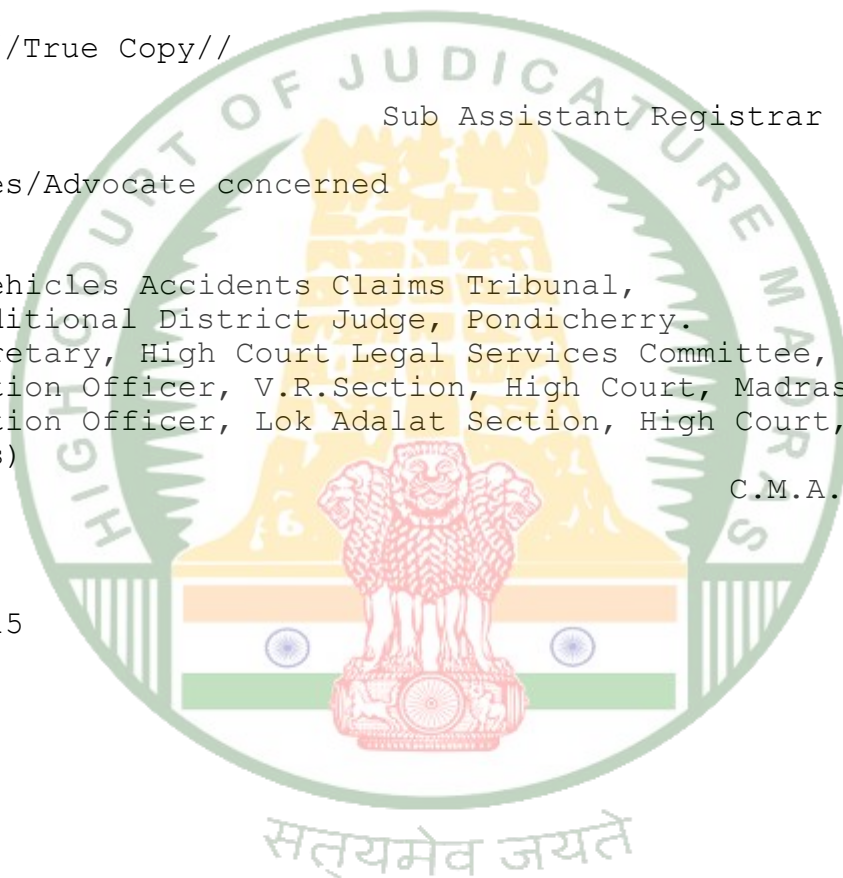
Sub Assistant Registrar

To
The parties/Advocate concerned
Copy to

- 1.Motor Vehicles Accidents Claims Tribunal,
II Additional District Judge, Pondicherry.
- 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.
(+2 copies)

C.M.A.No.429 of 2015

TEJ(CO)
Eu 18.08.15



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