

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 12th day of September, 2015

NATIONAL LOK ADALAT AWARD

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

The Hon'ble Mrs.JUSTICE S. VIMALA

and

Members

Mrs. Hemalatha Daniel

Mrs. V.Nalini

C.M.A.No.1994 of 2006

(Civil Miscellaneous Appeal filed under Section 30 of the Workmen's Compensation Act, 1923, against the order of the Deputy Commissioner of Labour-I, Chennai, dated 28.11.2005 made in W.C.No.210 of 2004).

Management, Sri Venkateshwara Educational Trust,
20 Gopalsamy Nagar,
Ambattur Industrial Estate,
Chennai - 600 053

... Appellant

Vs.

Thiru M.Palani

... Respondent

This CMA came up for settlement before the National Lok Adalat. Both the Parties are present. Mr.S.Arunkumar, learned Counsel for the Appellant and Mr.Mohan Chowdry, learned Counsel for the respondent 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 respondent herein / workman has filed an Application before the Deputy Commissioner of Labour-I, Chennai, for compensation, in respect of the injuries sustained by him out of and in the course of his employment. There was an award for a sum of Rs.2,62,456/- by the Deputy Commissioner of Labour-I, Chennai. Aggrieved against the Award, the Management has preferred this Appeal.

2. Now, both the parties have agreed to modify the Award to a sum of Rs.1,90,877/-. Hence, there shall be an award for a

sum of Rs.1,90,877/- (Rupees one lakh ninety thousand eight hundred and seventy seven only).

3. The learned counsel for the Appellant / Management submits that the Appellant has already deposited the entire amount as awarded by the Deputy Commissioner of Labour-I, Chennai. Therefore, the respondent / workman is permitted to withdraw a sum of Rs.1,90,877/- ***less the amount of Rs.65,614/- already withdrawn by him**, without filing any formal petition before the Deputy Commissioner of Labour-I, Chennai. After satisfaction of the award, the surplus amount shall be paid to the Appellant herein. The award is passed accordingly.

4. The Tribunal is directed to issue the cheques to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Sd/-

Management, Sri Venkateshwara Educational Trust,
20 Gopalsamy Nagar,
Ambattur Industrial Estate,
Chennai - 600 053

Sd/-

Counsel for the Appellant

Sd/-

Thiru M.Palani

Sd/-

Counsel for the Respondent

This Lok Adalat Award is passed in terms of the above settlement. The Court Fees paid shall be refunded to the parties 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 (CS III)

Dated : 15.09.2015

***Amended as per order of Lok Adalat**

held on 20.08.2016 and made herein

Sd/- Assistant Registrar (CCC)

Dated : 19.10.2016

//True Copy//

Sub Assistant Registrar

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To
The parties/Advocate concerned (through Lok Adalat)

Copy to:

- 1.The Deputy Commissioner of Labour-I,
Chennai.
- 2.The Secretary,
High Court Legal Services Committee,
Chennai.
- 3.The Section Officer,
Lok Adalat Section,
High Court, Madras.
- 4.The Section Officer,
V.R.Section,
High Court, Madras.

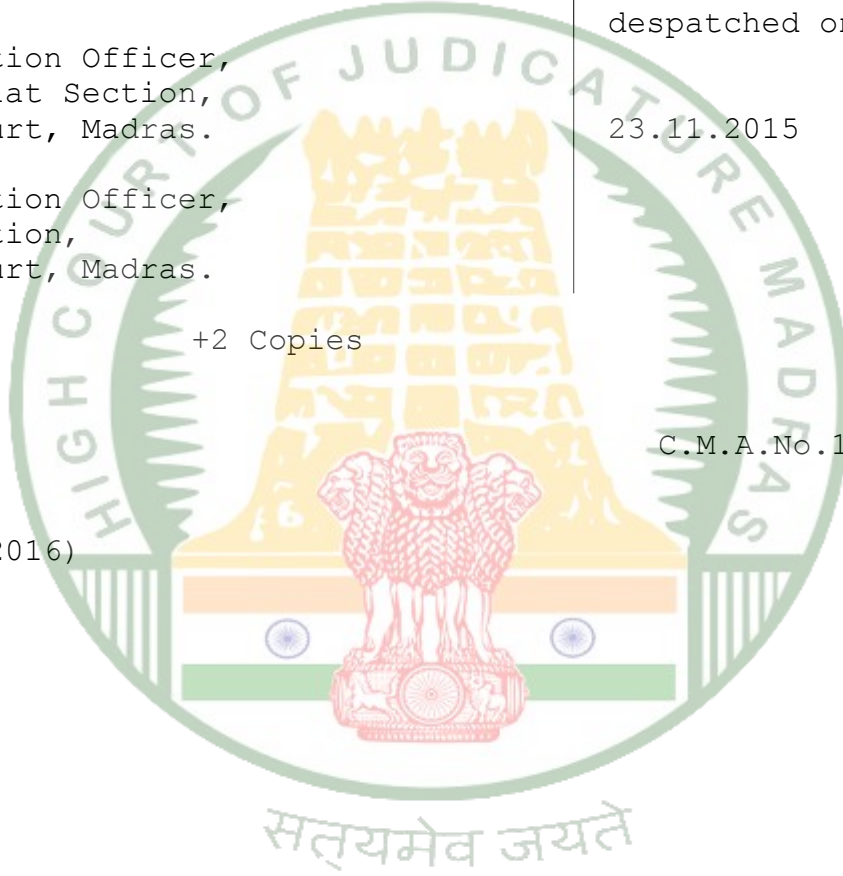
To be Substituted to
the Order already
despatched on

23.11.2015

+2 Copies

C.M.A.No.1994 of 2006

VD(CO)
CA(25/10/2016)



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