

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Friday, the 07th day of October 2016 and CMP NO.11287/2016

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE J.A.K.SAMPATH KUMAR (Retd.)
and

Members

Mr.N.Ramachandran
Mr.M.Sankar

C.M.A.No.1471 of 2016 and CMP.No.11287 of 2016

(Appeal against the judgment and decree passed on 08.02.2016
made in M.C.O.P.No.100 of 2011 on the file of the Motor
Accidents Claims Tribunal, (Additional District Judge,) Kancheepuram)

The Manager,
M/s Bajaj Alliance General
Insurance Company Limited,
II Floor, Plot No.1989,
'H' Block, 12thj Main Road,
Anna Nagar,
Chennai - 600 040.

.. Appellant

सत्यमेव जयते
Vs.

1.Selvapathy
2.N.Sridhar - (set ex-parte before the Tribunal) .. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.J.Michael Visuvasam, learned counsel for the appellant and Mr.K.Subramanian, learned counsel for the first 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 Tribunal has awarded a sum of Rs.7,96,000/- with interest at 7.5% per annum from the date of filing of the petition till the date of realization and costs 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 of the Tribunal to a sum of Rs.10,40,000/- (Rupees Ten Lakhs Forty Thousand only) in full quit as compensation.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount, less the amount already deposited if any, within a period of three weeks from the date of receipt of a copy of this order.

4. On such deposit, the first respondent / claimant is permitted to withdraw the above said modified award amount without filing any formal petition before the Tribunal. Award is passed accordingly.

5. 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 the miscellaneous petition is closed.

Sd/-
The Manager,
M/s Bajaj Alliance General
Insurance Company Limited,
II Floor, Plot No.1989,
'H' Block, 12thj Main Road,
Anna Nagar. Chennai - 600 040.

Sd/-
Counsel for the
Appellant

Sd/-
Selvapathy

Sd/-
Counsel for the first Respondent

3.

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

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned
Copy to:

1. The Motor Accidents Claims Tribunal,
Additional District Judge,
Kancheepuram.
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

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C.M.A.No.1471 of 2016

srg 07/11/2016