

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Monday, the 16th day of February, 2016

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM(Retd.)

and

Members

Mr.K.S.Venkatachalam

Mr.M.R.Suriya Kumar

C.M.A.No.2451 of 2015

and

M.P.No.1 of 2015

(Appeal against the Judgment and Decree dated 03.04.2014 made in MCOP.No.4702 of 2012 on the file of the Motor Accidents Claims Tribunal, (V Judge, Court of Small Causes, Chennai)).

ICICI Lombard General Insurance Company Ltd.,
No.140, Chottabhai Centre,
2nd floor,
Nungambakkam High Road,
Chennai 34.

Vs.

... Appellant

1.K.Jegannadha Reddy

2.K.Subramanyam Reddy

3.Ponna Gnanendra Reddy

... Respondents

(The third respondent is the owner of the vehicle. Therefore, no notice is necessary and his presence is dispensed with.)

Though this case is not listed today, this case is taken up for settlement before the Lok Adalat at the request of both the parties. Both the parties are present. The learned counsel for the appellant Ms.Sreevidhya, and the learned counsel for the Respondents, Mr.Mohan Rao 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

Both the parties and their respective counsel are present.

2. The appellant/Insurance Company has preferred the present appeal aggrieved against the award of Rs.5,61,000/- with interest at 7.5% per annum from the date of petition till the date of deposit as compensation. It is represented by the learned counsel for the Appellant/Insurance Company that a sum of Rs.7,36,043/- with interest has been deposited in the Tribunal.

3. After frank and open negotiation, both the parties agreed to modify the award amount to Rs.6,10,000/- in full quit (inclusive of interest).

4. Out of the said deposited amount, the Claimants/ Respondents 1 and 2 are permitted to withdraw a sum of Rs.3,05,000/- each. Award is passed accordingly. The appellant Insurance company is permitted to withdraw the balance amount from the deposit, which has been already made before the Tribunal.

5. The Tribunal is directed to issue the cheque to the parties 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. Connected miscellaneous petitions is closed.

Sd/-

ICICI Lombard General Insurance
Company Ltd., Nungambakkam,
Chennai.

Sd/-

Counsel for the Appellant

Sd/-

1.K.Jegannadha Reddy

Sd/-

2.K.Subramanyam Reddy

Sd/-

Counsel for Respondents 1 and 2

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

The Court fee 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 II)

//True Copy//

Sub Assistant Registrar

cla

To
The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal
(V Judge, 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.

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MG(CO)
CA(07/03/2016)

C.M.A.No.2451 of 2015