

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 09th day of August 2016

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE MALAI SUBRAMANIAN (Retd.)

and

Members

Mr.Dhamodharan

Mr.Mohamed Ismail

C.M.A.No.2870 of 2014

(Appeal against the judgment and decree passed on 17.07.2014 made in M.C.O.P.No.399 of 2011 on the file of the Motor Accidents Claims Tribunal, III Judge, Small Causes Court, Chennai)

V.Deepak

... Appellant/Petitioner

Vs.

1.K.Elumalai - (ex-parte before the Tribunal)

2.National Insurance Company Limited,
No.25, Whites Road,
Chennai - 600 006.

... Respondents/Respondent

This case is not listed today. On representation of the learned counsel for both sides, this case is taken up for settlement before the Lok Adalat. Both parties are present. Mr.T.G.Balachandran, learned counsel for the appellant and Mr.D.Baskaran, learned counsel for the second 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.1,51,650/- with interest at 7.5% per annum from the date of numbering the petition i.e.28.01.2011 till the date of deposit.

2. Not satisfied with the award of the Tribunal, the appellant/claimant has preferred the present appeal for

enhancement. Now, both the parties have agreed to a sum of Rs.1,10,000/- (Rupees One Lakh Ten Thousand only) in full quit as additional compensation.

3. The second respondent / Insurance Company is directed to deposit the additional award amount within a period of six weeks from the date of receipt of a copy of this order.

4. On such deposit, the appellant /claimant is permitted to withdraw the additional award amount without filing any formal petition. The 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.

Sd/-
V.Deepak

Sd/-
Counsel for the Appellant

Sd/-
National Insurance Company Limited,
No.25, Whites Road,
Chennai - 600 006.

Sd/-
Counsel for the second 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

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Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

To:The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal,
III Judge, Small Causes Court, 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.+2 copies

C.M.A.No.2870 of 2014

GJ(CO)
Eu 30.08.16



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