

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 30th day of March, 2016

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE M.THANIKACHALAM (Retd)
and

Members

- 1.Mr.T.Seemadurai
- 2.Mr.S.Rajeswaran

C.M.A.No.2029 of 2010

(Appeal against the Judgment and decree passed on 09.01.2009 made in M.C.O.P.No.2587 of 2004 on the file of the Motor Accident Claims Tribunal, (III Judge, Court of Small Causes) Chennai.

S.Sujatha

... Appellant

Vs.

- 1.Ms.R.Sasikala
- 2.The National Insurance Co., Ltd.,
No.751, Mount Road, Chennai-2.

... Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. Ms.Ramya V.Rao learned counsel for the appellant and Mr.C.R.Krishnamurthy, learned counsel for the 2nd 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

On 31.12.2001, the appellant/claimant met with a road accident and sustained hip injury as alleged for which she claimed a sum of Rs.5,00,000/- as compensation before the Tribunal and succeeded in obtained an award of Rs.1,55,327/-.

2. Not satisfied with the award, she preferred this appeal for enhancement of compensation. Both the parties and their respective counsel are present.

3. Considering the nature of injury sustained by the claimant, Insurance company as well as the learned counsel appearing for the appellant/claimant puts their heads together and reached a settlement, wherein the Insurance Company had agreed for an award of Rs.1,50,000/- (Rupees One lakh fifty thousand only) in full quit, as far as this appeal is concerned, over and above the amount already awarded by the trial Court.

4. Hence, the lower court award is modified, ordering enhancement of compensation of Rs.1,50,000/- (Rupees one lakh fifty thousand only) in full quit in addition to the amount already awarded.

5. The second respondent/Insurance Company is directed to deposit the above said enhanced award amount within a period of four weeks from the date of receipt of copy of this order.

6. The Tribunal is directed to issue the cheque to the appellant, 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/-
S.Sujatha

Sd/-
Counsel for the Appellant

Sd/-
The National Insurance Co., Ltd.,
No.751, Mount Road, Chennai-2.

Sd/-
Counsel for the 2nd Respondent

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

kkd

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To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
(III 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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