

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of September 2017

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.GOVINDARAJ
and

Members

Mr.K.Ramakrishnan
Mr.M.Baskar

C.M.A.No.1755 of 2016
AND CMP NO.13140 OF 2016

Appeal filed under Section 30 of Workmen's Compensation Act, 1923,
against the order of the Deputy Commissioner of Labour – 2, Chennai, dated
27.11.2015 in W.C.No.179 of 2013.

M/s.National Insurance Company Ltd.,
No.4, Malwa Towers, First Floor,
No.10, Old Palasia, A.B.Road,
Indore – 542 001.

Appellant

Vs

1.Mrs.Gurmeet Kaur
2.Mrs.Ranjeet Kaur
3.Minor Sandeep Kaur
4.Minor Manpreet Singh
5.Minor Sukhjeet Singh
(Minor respondents 3 to 5 are
represented by their mother
first respondent)
6.K.Kulvinder Singh

Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.D.Bhaskaran, counsel for the Appellant and A.Sulochana, counsel for the respondents 1 to 5 / claimants are present. After mutual discussion, both parties have arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

As against the award sum of Rs.7,41,680/-, the appellant / Insurance Company, has preferred the present appeal.

2. The first respondent is the wife; second respondent is the mother and respondent nos.3 to 5 are the minor children of the deceased. On due authorisation, the first respondent – wife appeared before this Lok Adalat, on behalf of second respondent-mother of the deceased.

3. The Deputy Commissioner of Labour – 2, Chennai, vide order dated 27.11.2015 in W.C.No.179 of 2013, has awarded a sum of Rs.7,41,680/-, which has already been deposited by the appellant / Insurance Company.

4. After negotiation, both the parties have arrived at a settlement to pay and receive a sum of Rs.6,61,680/- (Rupees Six Lakhs Sixty One Thousand Six hundred and eighty only).

5. The first respondent / wife is entitled to Rs.3,36,680/- (Rupees Three Lakhs Thirty Six Thousand Six Hundred and Eighty Only); second respondent / mother is entitled to Rs.25,000/- (Rupees Twenty Five Thousand Only) and the respondents 3, 4 and 5 are entitled to

Rs.1,00,000/- EACH.

6. Since the award amount has already been deposited, the respondents 1 and 2 are permitted withdraw their respective shares, without filing any formal petition and the shares of the minors viz., respondent nos.3, 4 and 5 shall be deposited in any one of the Nationalised Banks, in a reinvestment scheme, till they attain majority. The first respondent / mother is permitted to withdraw accrued interest from the shares of the minors, once in three months. Award is passed accordingly.

7. Since the appellant / Insurance Company has already deposited the entire award amount of Rs.7,41,680/-, the appellant / Insurance Company is entitled to withdraw a sum of Rs.80,000/- from the award amount already deposited.

8. 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. Since it is stated that the second respondent – mother of the deceased is bedridden, the first respondent is entitled to receive the cheque drawn in favour of the second respondent. The **Civil Miscellaneous Appeal is disposed of accordingly.**

M/s.National Insurance Company Ltd.,
No.4, Malwa Towers, First Floor,
No.10, Old Palasia, A.B.Road,
Indore – 542 001.

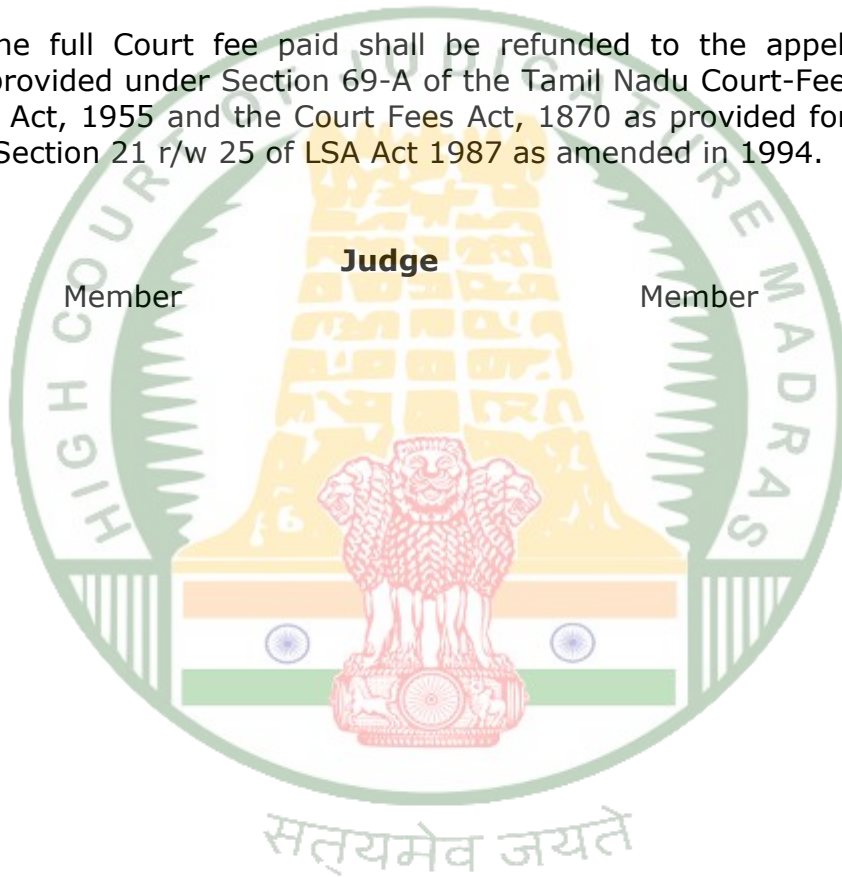
.. Counsel for the Appellant

- 1.Mrs.Gurmeet Kaur
- 2.Mrs.Ranjeet Kaur
- 3.Minor Sandeep Kaur
- 4.Minor Manpreet Singh
- 5.Minor Sukhjeet Singh
- 6.K.Kulvinder Singh

.. Counsel for the Respondents

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.



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M. GOVINDARAJ, J.

TK

To: The parties/Advocate concerned

Copy to:

1. The Deputy Commissioner of Labour – II, 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



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09.09.2017