

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

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble MR.JUSTICE M.SATHYANARAYANAN

Members
and

Mr.K.Balasubramanian
Mr.V.Karthikeyan

C.M.A.No.1904 of 2016

(Against the award and decree passed on 17.08.2009 made in
M.C.O.P.No.4291 of 2004 on the file of the Motor Accidents Claims Tribunal,
IV Small Causes Court, Chennai.)

P.Purushothaman

... Appellant

Vs.

1.K.Kuppuraj
2.The United India Insurance Company Ltd.,
No.38, Anna Salai,
Chennai-600 002.

.. Respondent

On representation of the counsel on either side, this case is taken up for settlement before the National Lok Adalat. The learned counsel for the appellant, Mr.M.Malar and Mr.D.Bhaskaran, 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

It is a case of injury. As against the claim of Rs.1,00,000/-, the

<http://www.judis.nic.in> Tribunal has awarded a sum of Rs.85,500/- with interest at 7.5% per annum at proportionate cost from the date of petition till the date of deposit.

2. Not satisfied with the award of the Tribunal, the injured claimant/appellant has preferred the present appeal for enhancement. After discussion and mutual negotiation, both the parties have agreed to a sum of Rs.60,000/- (Rupees Sixty Thousand only) in full quit over and above the amount awarded by the Tribunal.

3. The learned counsel for the appellant / claimant submitted that the 2nd respondent / Insurance Company has already deposited the entire award amount with interest and cost and the claimant / appellant has already withdrawn the said amount.

4. The 2nd respondent / Insurance Company is directed to deposit the enhanced award amount of Rs.60,000/- (Rupees Sixty Thousand only), within a period of four weeks from the date of receipt of a copy of this order, failing which shall pay interest at the rate of 7.5% per annum from this date till the date of deposit. On such deposit, the respondent/claimant is entitled to withdraw the enhanced award amount. The Tribunal is directed to order to transfer the enhanced award amount to the claimant / appellant to his Bank Account directly by RTGS. The Award is passed accordingly.

5. The Civil Miscellaneous Appeal is disposed of accordingly.

The United India Insurance Company Ltd.,
No.38, Anna Salai,
Chennai-600 002.

Counsel for the 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.

To
The parties/Advocate concerned

Copy to

- 1.The Motor Accident Claims Tribunal, Small Causes Court No.VI, 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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M.SATHYANARAYANAN,J

sk/jvm



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09.12.2017