

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Tuesday, the 7th day of February 2017

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

Mr.G. Dharmaraj
Mr.M. Sureshkumar

C.M.A.No.1281 of 2012 and M.P.No.1/2012

(Appeal against the Judgment and decree made in M.A.C.T.O.P.No.1928 of 2008 on the file of the Motor Accident Claims Tribunal (V Judge, Court of Small Causes) at Chennai dated 07.03.2011)

National Insurance Co.Ltd.,
Mount Road, Chennai-600 002. ...2nd Respondent/Appellant

- Vs -

1.D. Christuraj ... Petitioner

2.M. Balasubramaniyan ... 1st Respondent / Respondent

This case came up for settlement before the Lok Adalat.

Both the parties are present. Mr.M. Krishnamoorthy, learned counsel for the appellant, Ms.U.Swathy for Mr.A.N. Viswanath Rao for 1st 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 appeal in C.M.A.No.1281/2012 pending on the file of the Hon'ble High Court, Madras and preferred against the award passed in M.A.C.T.O.P.No.1928 of 2008 on the file of the Motor Accident Claims Tribunal (V Judge, Court of Small Causes) at Chennai has been referred to Lok Adalat for conciliation today.

The appellant and respondent assisted by counsel are present before Lok Adalat today for conciliation.

This is a case of Motor Accident causing injury to the claimant who is the first respondent herein. The Tribunal has passed an award for a sum of Rs.3,54,200/- with interest at 7.5% p. a. from the date of petition till the date of deposit of amount along with cost. Aggrieved at the said award, the above said Appellant / National Insurance Company preferred this appeal. After great deliberation and discussion both parties have compromised the disputed claim at Rs.2,90,000/- (Rupees Two Lakhs Ninety Thousand Only) with interest at 7.5% p.a from the date of petition till the date of deposit of amount. Admittedly a sum of Rs.25,000 has been deposited before the competent court and the appellant National Insurance Company agreed to deposit the balance amount within 6 weeks from the date of receipt of copy of this award.

In view of the compromise arrived at between both parties the Lok Adalat hereby declare and decree that the appellant/National Insurance Company shall pay the compromised amount less the amount already deposited within 6 weeks from the date of receipt of copy of this award. Immediately on deposit of the compromised amount the first respondent/claimant is permitted to withdraw the said amount without filing any formal petition. Award is passed accordingly. No order as to cost.

sd/-

National Insurance Co.Ltd.,
Mount Road, Chennai-600 002.

sd/-

Counsel for the Appellant

sd/-

D. Christuraj

sd/-

Counsel for 1st 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

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

The parties/Advocate concerned

Copy to

- 1.The Motor Accident Claims Tribunal (V Judge, Court of Small Causes) at 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.1281 of 2012
and M.P.No.1/2012

VGI (CO)
VR(28/02/2017)



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