

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee
Saturday, the 08th day of December, 2018

LOK ADALAT AWARD

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

Presided by

THE HON'BLE Mr. JUSTICE M.DHANDAPANI

Members:

Mr. A.Selvadoss
Mrs.N.Mala

and

C.M.A.No.2410 of 2008

(Appeal against the judgment and decree passed in
M.C.O.P.No.107 of 2007 on the file of the Motor Accident Claims
Tribunal/ Sub Judge, Hosur, dated 15.04.2008).

Branch Manager

Bajaj Allianz General Insurance Co. Ltd.,
No.105-A to 107-A, Cears Plaza,
136, Residency Road,
Bangalore 560 025.

...Appellant

Vs.

1.C.Kumar
2.R.Sivappa

..Respondents

WEB COPY

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mrs.Srividya, is present. The learned counsel for the first respondent Mr.K.Nanjegowdu is 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.3,02,800/- with interest at 7.5% p.a. from the date of application till the date of deposit as compensation.

2. Aggrieved by the award of the Tribunal, the Appellant/Transport Corporation has preferred the present appeal.

3. It is represented that the appellant/Transport Corporation has already deposited a sum of Rs.1,00,000/-. Apart from that, now, after due deliberation and consultation both the parties mutually agreed to settle and modify the award of the Tribunal to a sum of Rs.2,90,000/- (Rupees Two lakhs and Ninety Thousand Only) in full quit as compensation.

4. The Appellant/Transport Corporation is directed to deposit the modified award amount of Rs.2,90,000/- in full quit, within a period of eight weeks from the date of receipt of a copy of this award, to the credit of M.C.O.P.No.107 of 2007 on the file of the Motor Accident Claims Tribunal, Subordinate Judge, Hosur, failing which, the appellant/Transport Corporation shall pay interest at the rate of 12% every month to the said full quit amount. On such deposit being made, the first respondent is permitted to withdraw the said amount on filing proper application. Since the Insurance Company has already

deposited Rs.1,00,000/- the first respondent is also permitted to withdraw the said compensation amount of Rs.1,00,000/- along with accrued interest thereon. Award is modified accordingly.

5. The Tribunal is directed to transfer the above said award amounts to the Bank account of the first respondent/claimant by way of NEFT/RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

6. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition, if any, is closed.

Branch Manager
Bajaj Allianz General Insurance Co. Ltd.,
No.105-A to 107-A, Cears Plaza,
136, Residency Road,
Bangalore 560 025.

Counsel for Appellant

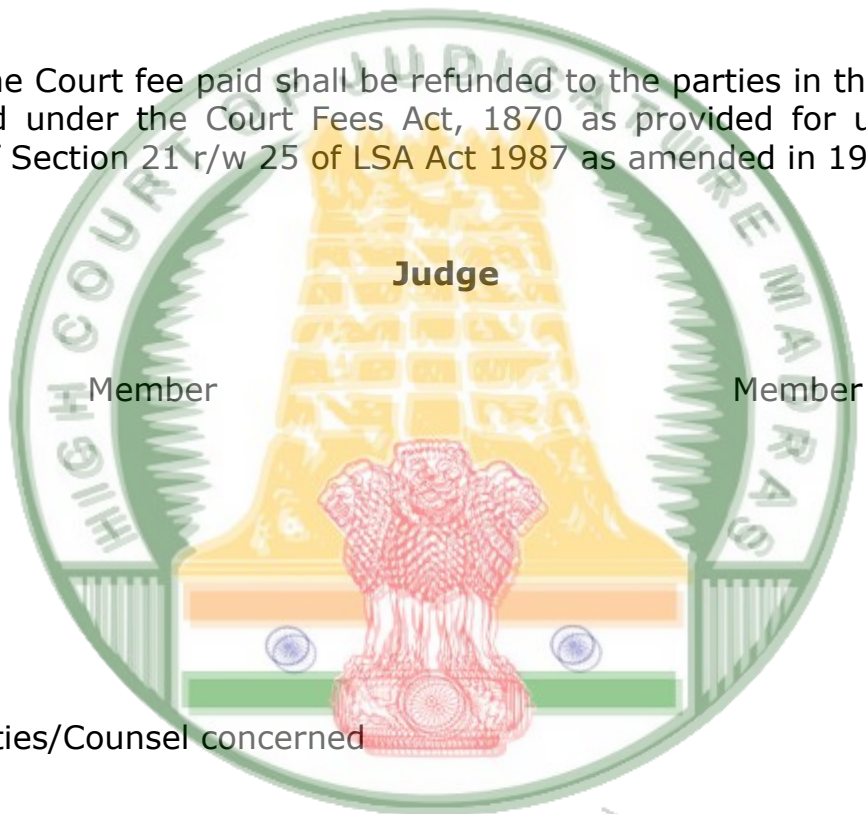
1.C.Kumar
2.R.Sivappa

Counsel for Respondents

WEB COPY

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/Counsel concerned

Copy to

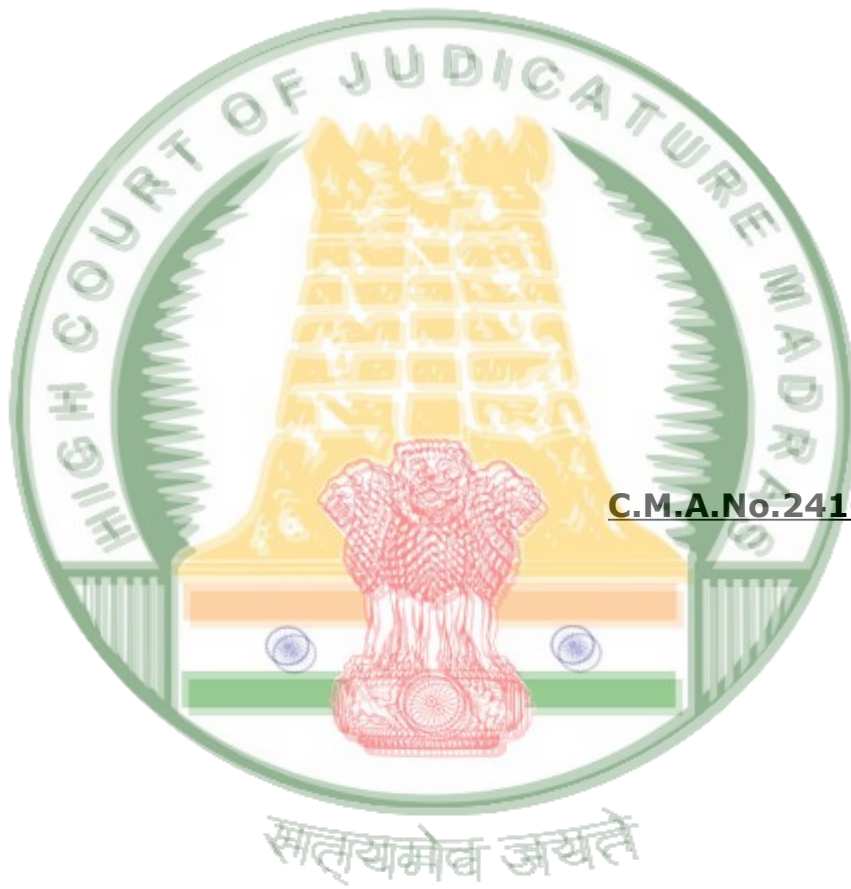
- 1.The Motor Accident Claims Tribunal/Sub Court, Hosur.
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.

सत्यमेव जयते

WEB COPY

M.DHANDAPANI.J,

dna/pri



C.M.A.No.2410 of 2008

WEB COPY

08.12.2018