

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee
Saturday, the 14th day of July, 2018

LOK ADALAT AWARD

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

Presided by

THE HON'BLE Mr.JUSTICE C. SARAVANAN

and

Members

Mr. P.Subburaj
Mr. S.Sampath

C.M.A. No. 1610 of 2014

(Appeal against the Judgment and decree passed in MCOP. No. 63 of 2010 dated 10.11.2011 on the file of the Motor Accident Claims Tribunal, Karaikal).

Ganesamoorthy

...Appellant

Vs.

1.Kalidoss
2.Subramanian
3.The New India Assurance Company Ltd.,
rep.by its Branch Manager,
149, Bharathiyar Road,
Karaikal

..Respondents

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Though the case is not listed today, it is taken up for settlement at the instance of both the parties. The learned counsel for the appellant, Mr.S.Sounthar is present. The learned counsel for the 3rd respondent Mr. S. Manohar 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. 61,810/- with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

2. Not satisfied with the award of the Tribunal, the claimant/appellant has preferred the present appeal for enhancement. Now the parties mutually agreed to settle for an enhanced sum of Rs. 1,50,000/- (Rupees One Lakh Fifty Thousand Only) in full quit over and above the amount awarded by the Tribunal.

3. The 3rd respondent/Insurance Company is directed to deposit the modified award amount within a period of six weeks from the date of receipt of a copy of this order, after deducting the amount already deposited, if any. On such deposit, the appellant is permitted to withdraw the entire award amount. Award is modified accordingly.

4.The Tribunal is directed to issue the cheques to the parties concerned 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.

Ganesamoorthy

Counsel for Appellant

The New India Assurance
Company Ltd.,
rep.by its Branch Manager,
149, Bharathiyar Road,
Karaika

Counsel for 3rd 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.

Judge

Member

Member

C. SARAVANAN.J,

kkd/ak

To
The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal, karaikal
- 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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14.07.2018