

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services
Committee

Monday, the 11th day of June 2018

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. V.C.Suresh
Mr. S.Muthian

C.M.A.No.475 of 2018
&
C.M.P.No.4278 of 2018

(Appeal against the judgment and decree dated
29.04.2017 made in M.C.O.P.No.4142 of 2015 on the file of
the Motor Accidents Claims Tribunal, (I Additional Sub
Court), Cuddalore.

The Chief Manager,
The Oriental Insurance Co. Ltd.,
Third Party Claims Hub,
New No.216, Old.No.115,
Prakasam Salai,
Broadway, Chennai.



Appellant/2nd Respondent
Vs.

1. Prabhu ...1st respondent/petitioner
2. S.Selvam ...2nd Respondent/1st respondent
(R2 remained exparte before the Tribunal)

This case is taken up for settlement before Lok Adalat today. Both the parties are present. Mr.S.Manohar, the learned counsel for Oriental Insurance Company Limited, and the learned counsel for the respondent for Mr.R.Sreedhar and Mrs.A.Divya Bharathi are present. Mr.S.Balakrishnan Manager, Oriental Insurance Company Limited 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 appeal in CMA.No.475 of 2018 pending on the file of
High Court, Madras and preferred against the award passed in

MCOP.No.4142 of 2015 on the file of I Additional Sub Court, Cuddalore has been referred to Lok Adalat for conciliation today.

2. The appellant, Oriental Insurance Company Limited represented by its Manager assisted by counsel and the first respondent who is the petitioner before the Tribunal assisted by counsel are present before Lok Adalat for conciliation today. This is a case of Motor Accident causing injury to the first petitioner herein. The Tribunal has awarded a sum of Rs.5,86,000/- with interest at 7.5% per annum from the date of petition till the date of deposit along with interest at 7.5% per annum. After great deliberation and discussion both parties have compromised the disputed claim at Rs.4,30,000/- with interest at 7.5% per annum from the date of petition till the date of deposit. Admittedly amount ordered by the Hon'ble High Court at the time of admitting the appeal has been deposited before competent court. The appellant Insurance Company has agreed to deposit the balance compromised amount along with interest within six weeks from the date of receipt of copy of this award.

3. In view of the compromise arrived at between both parties, the Lok Adalat here by declare and decree that the appellant Oriental Insurance Company shall pay a sum of Rs.4,30,000/- along with interest at 7.5% per annum from the date of petition till the date of deposit of the amount concerned to the petitioner / first respondent herein, after deducting the amount already deposited, if any. After deposit of the balance compromised amount before the competent court, the petitioner / first respondent herein is permitted to withdraw the compromised amount without filing any formal petition. No order as to cost. Award is passed accordingly.

4. 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. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected miscellaneous petition is closed, if any.

-sd/-

The Chief Manager,
The Oriental Insurance Co. Ltd.,
Third Party Claims Hub,
New No.216, Old.No.115,
Prakasam Salai,
Broadway, Chennai.

-sd/-

Counsel for the Appellant

-sd/-

Prabhu

-sd/-

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 appellant 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.

-sd/-
Judge

-sd/-
Member

-sd/-
Member

Sd/-
Assistant Registrar

// True Copy//

Sub Assistant Registrar

Copy to:

- 1.The Motor Accidents Claims Tribunal,
(I Additional Sub Court), Cuddalore.
- 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.475 of 2018
&
C.M.P.No.4278 of 2018

SV (CO)
SMI/11.08.2018

सत्यमेव जयते

WEB COPY