

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 10th day of February, 2018

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs.JUSTICE R.HEMALATHA

and

Members:

Ms.V.Ahalya (District Judge Retired)

Mrs.S.Sujatha

C.M.A.No.108 of 2013

(Appeal against the award and decree passed on 30.03.2012 in M.C.O.P.No.1054 of 2010 on the file of the Motor Accidents Claims Tribunal, Additional District Court, Fast Track Court No.V, Coimbatore).

Branch Manager

Royal Sundaram Alliance Insurance Co. Ltd.

Sundaram Towers,

No.45 and 46, Whites Road, Chennai-14

..Appellant

Vs.

1.Abdul Jaffar

2.Prakash

(Second respondent remained exparte before the Tribunal)

...Respondents

This case came up for settlement before the National Lok Adalat.

Both parties are present. The learned counsel for the appellant Mr.S.Manohar and the learned counsel for the first respondent Mr.Ma.Pa.Thangavel 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 Tribunal has awarded a sum of Rs.11,73,480/- with interest at 7.5% per annum from the date of petition till the date of deposit.

2. Being aggrieved by the same, the Insurance Company has preferred the present appeal. Now, both the parties have agreed for a settlement. The first respondent/claimant agreed to receive a sum of Rs.12,95,821/- in full quit as full and final settlement.

3. It is represented that already sum of Rs.14,20,345/- had already been deposited by the Insurance Company before the Tribunal.

4. Hence, a sum of Rs.1,24,524/- shall be refunded to the Insurance Company and the balance shall be withdrawn by the first respondent/first claimant. The second respondent is the owner of the vehicle and he remained exparte even before the lower Court. The award is passed accordingly.

5. The Tribunal is directed to transfer the amount to the parties concerned to their account in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

Branch Manager
Royal Sundaram Alliance Insurance Co. Ltd.
Sundaram Towers,
No.45 and 46, Whites Road, Chennai-14
Appellant

Counsel for the

1.Abdul Jaffar
2.Prakash

(Second respondent remained exparte before the
Tribunal)

Counsel for the Respondents

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

To :

The parties/Advocate concerned

Copy to:

- 1.The Fast Track Court No.5, Additional District Cum Sessions Judge, Coimbatore).
- 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.

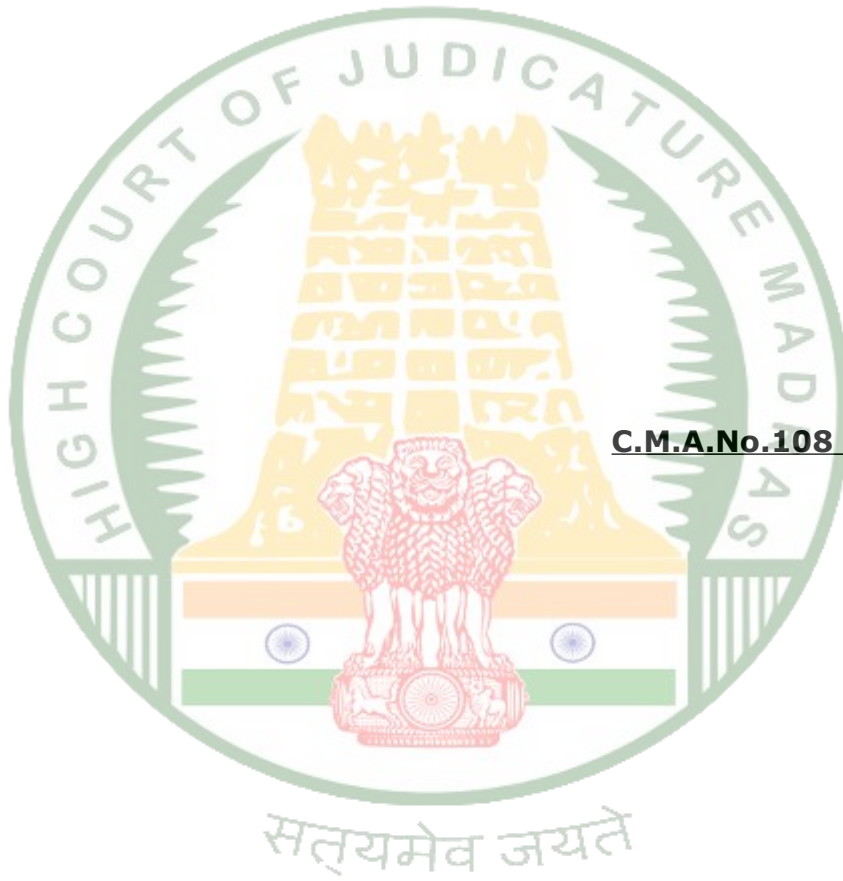
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R.HEMALATHA,J.

msm/av



C.M.A.No.108 of 2013

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10.02.2018