

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 4th day of April 2018

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE K.GNANAPRAKASAM,J (Retd.)
and

Members

Mr. P.Ramalingam, District Judge, (Retired)
Mr.Kapoor Chordia

S.A.No.1187 of 2011
against
A.S.No.185 of 2009
against
O.S.No.7046 of 2005

(This Second Appeal is filed against the Judgment and Decree dated 05.05.2010 in A.S.No.182 of 2009 on the file of the Fast Track Court - III, Additional District and Session Judge, Chennai setting aside the Judgement and decree dated 04.04.2008 in O.S.No.7046 of 2006 on the file of the VIII Assistant Judge, City Civil Court, Chennai.)

M.S.Gurumurthy

...Appellant/Respondent/Plaintiff

Vs.
सत्यमेव जयते

C.Peethambaram

...Respondent/Appellant/Defendant

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This case came up for settlement before the Lok Adalat. Both the parties are present. Mr. N.Karthikeyan, the learned Advocate for the Appellant and Mr. G.Sugumaran, the learned Advocate for the 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 appellant and learned advocate for the appellant are present. The respondent and learned advocate for the respondent are also present.

2. There was an order passed by this forum on 28.11.2017 directing the respondent to pay the balance amount of Rs.1,25,000/- to the appellant/plaintiff on or before 31.03.2018 and the case was posted on 03.04.2018. As 31.03.2018 and 01.04.2018 happened to be holidays the case was called on 03.04.2018 and taken up for enquiry. Though the respondent was directed to pay the amount on or before 31.03.2018, it could not be done, and the short delay in paying the amount was allowed to be permitted by the plaintiff. To prove the bonafide the respondent/defendant brought the amount on 03.04.2018 and it could not be paid, as the appellant's advocate who was present, was not willing to receive the amount, in the absence of the appellant. Hence it is posted today.

3. Today, the respondent/defendant paid a sum of Rs.1,25,000/- as ordered by this forum on 28.11.2017 and the same was received by the appellant /plaintiff in the presence of his advocate and it is also acknowledge by him before this Court. In view of the same, the direction given by this forum on 28.11.2017 is complied with.

4. It is stated that the appellant/plaintiff is not able to withdraw the amount of Rs.25,000/- which has already been deposited by the defendant before the lower Court for want interim order passed by this forum.

5. Now the final order is passed and with help of this order the appellant / plaintiff is entitled to withdraw the amount deposited before the Lower Court.

The Award is passed accordingly.

Sd/-
M.S.Gurumurthy

Sd/-
Advocate for the Appellant

Sd/-
C.Peethambaram

Sd/-
Advocate for the 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/-
Assistant Registrar (L.A)

//True Copy//

Sub Assistant Registrar

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To: The parties/Advocate concerned

Copy to:

1. The Fast Track Court - III, Additional District and Session Court, Chennai
2. The VIII Assistant Court, City Civil Court, Chennai.)
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R.Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras.+2 copies

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SV(CO)
CS/17/04/18

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