

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of December, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE C. SARAVANAN
and

Members

Mrs.Revathi G.Mohan
Mr.M.Sambasivam

C.M.A.No.2889 of 2006

[Appeal against the judgment and decree passed on 28.04.2005 in MCOP.No.2866 of 1999 on the file of the Motor Accidents Claims Tribunal) Additional District & Sessions Court/Fast Track Court No.1) Chennai)

R.Sundari

... Appellant

vs.

1. D.Jokin Jothi
2. The New India Assurance Co., Ltd.,
Rep.by its Divisional Manager,
No.45, Moore Street,
Chennai 600 001.

(1st respondent remained exparte before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant M/s.Ramya V.Rao and learned counsel for the 2nd respondent / Insurance Company, Mr.J.Chandran 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.40,000/- with interest at 9% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the second respondent that the entire amount has already

been deposited before the Tribunal and the same has been withdrawn by the appellant.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to settle the deposit on payment of Rs.1,25,000/- (Rupees One Lakh twenty five thousand only) in full quit over and above the amount already awarded by the Tribunal.

3. The 2nd respondent/Insurance Company is directed to deposit the enhanced award amount of Rs.1,25,000/- (Rupees One One Lakh twenty five thousand only) in full quit, within a period of eight weeks from the date of receipt of a copy of this order, failing which, it shall be paid with interest at the rate of 7.5% per annum from this date till the date of deposit. On such deposit, the claimant / appellant is permitted to withdraw the enhanced award amount without filing any formal petition. The Award is passed accordingly.

4. The Tribunal is directed to issue the cheque to the party 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.

R.Sundari

Counsel for the Appellant

Rep.by its Divisional Manager,
The New India Assurance Co., Ltd.,
No.45, Moore Street,
Chennai 600 001.

Counsel for the 2nd 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.



To
The parties/Advocate concerned

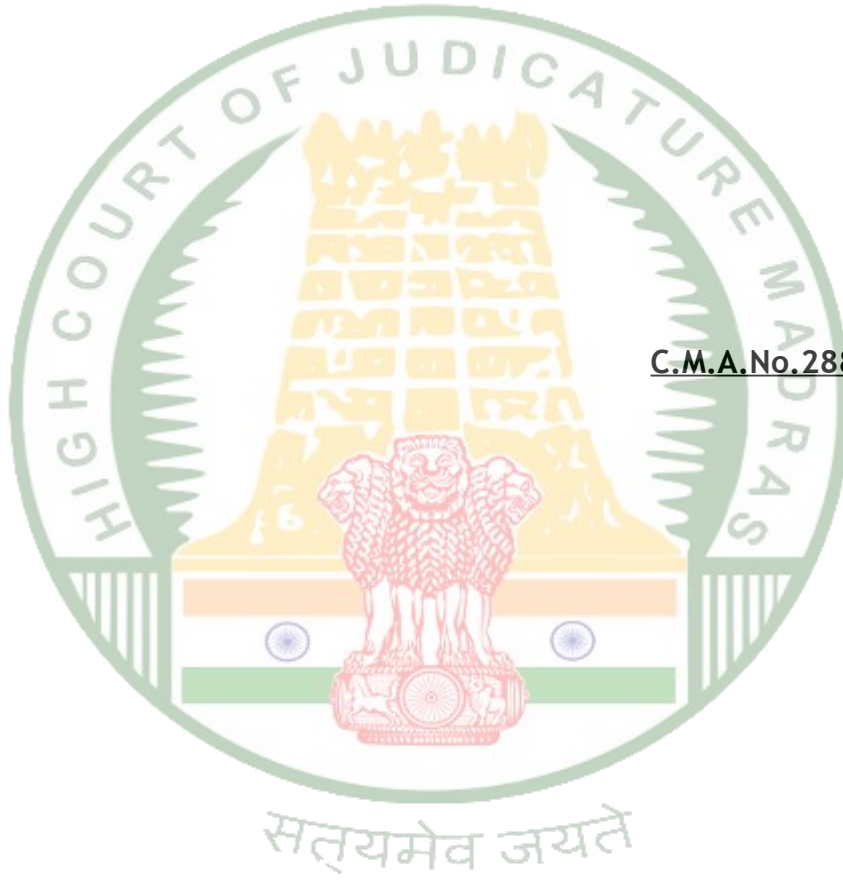
Copy to:

- 1.The Motor Accidents Claims Tribunal /Fast Track Court No.1) Chennai.
- 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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C.SARAVANAN,J.

jen/kkd



C.M.A.No.2889 of 2006

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14.12.2019