

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 9th day of March 2019

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

Presided over by

The Hon'ble Mr. Justice S. VAIDYANATHAN
and

Members: Mr.P.Rosaiah
Ms.S.Jayakumari

C.M.A.No.2097 of 2012

Appeal against the award and decree passed on 24.02.2012 in M.C.O.P.No.2696 of 2008 on the file of the VI Court of Small Causes, Chennai.

Abdul Bari

.. Appellant

Vs.

1.M.Abdul Kader

2.Bajaj Allianz General Insurance Co.Ltd.,
No.24&25, College Road,
Prince Tower 4th Floor,
Nungambakkam, Chennai-34.

.. Respondents

Though this case is not listed today, this case came up for settlement before the National Lok Adalat. **Appellant/claimant is present. Ms.Janaki, learned counsel for the Appellant is present and Ms.Thilakavathi, learned counsel appearing for the 2nd Respondent/Insurance Company 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

This is a case of Injury. The Tribunal has awarded a sum of Rs.2,25,765/- as compensation to the claimants. Aggrieved by the Award, seeking enhancement of compensation, the Claimant has come up with the present Appeal.

2. After negotiation, the award of the Tribunal is modified as follows:

(i) **Apart from the compensation of Rs.2,25,765/- awarded by the Tribunal, the Appellant/claimant has agreed to receive a sum of Rs.1,20,000/- (Rupees One Lakh and Twenty Thousand) as enhanced compensation in full quit, from the 2nd Respondent/Insurance Company.**

(ii) If the Insurance Company has not deposited the entire Award amount already awarded by the Tribunal, it is directed to deposit the same along with the enhanced compensation now awarded, within a period of twelve (12) weeks from the date of receipt of a copy of this order, after deducting the amount already deposited.

(iii) Appellants/Claimant is entitled to withdraw the entire award amount along with the enhanced compensation now awarded, after adjusting the amount, if any, already withdrawn.

(iv) The Trial Court shall follow the procedures contemplated in the order dated 11.03.2016 passed by a Division Bench of this Court in C.M.A.No.428 of 2016, scrupulously.

The Civil Miscellaneous Appeal is disposed of accordingly.

Abdul Bari

.. Appellant

1.M.Abdul Kader

2.Bajaj Allianz General Insurance Co.Ltd.,
No.24&25, College Road,
Prince Tower 4th Floor,
Nungambakkam, Chennai-34.

... 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:

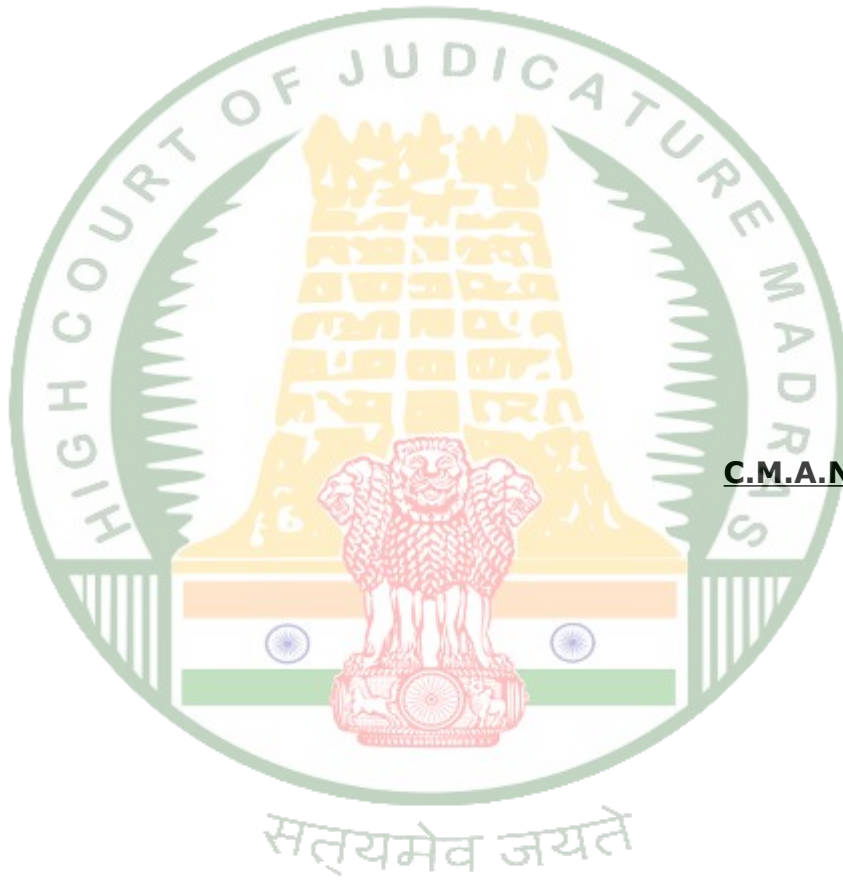
- 1.The Motor Accidents Claims Tribunal, VI Court of Small Causes, Chennai.
 - 2.The Secretary, High Court Legal Services Committee, Chennai.
 - 3.The Section Officer, V.R.Section, High Court, Madras.
 - 4.The Section Officer, Lok Adalat Section, High Court, Madras.
- +2 copies



WEB COPY

S.VAIDYANATHAN,J.

(tsg/aeb)



C.M.A.No.2097 of 2012

WEB COPY

09.03.2019