

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee

Saturday, the 09th day of March, 2019**LOK ADALAT AWARD**

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

Presided by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.T. Sankara Narayanan Pillai

Mr.Tranqubar Dorai Vasu

C.M.A.No.2233 of 2012

The Appeal is filed against the Judgment and Decree dated 16.02.2012 made in MACT.O.P.No.3898 of 2008, on the file of the Chief Small Causes Court (Motor Accidents Claims Tribunal), Chennai.

1.M.Tharabee

2.M.Sabira

3.M.Saleem.

All residing at No.1/9,
Old Housing Board,
Kodhamedu, Saidapet,
Chennai – 600 015.

...Appellants

Vs.

1.T.Ayaz Ahamed,
Rabia Leather Industries Limited,
No.2, Thirunarayana Guru Road,
Choolai, Chennai – 600 112.
[1st respondent remained Ex-parte]

2.United India Insurance Co. Ltd.,
A.R. Complex II Floor,
No.1090, P.H.Road,
Chennai – 600 084.

...Respondents

This case is taken up for settlement before the Lok Adalat.

Both the parties are present. The learned for the appellants

Mr.R.Kalai Arasan and the learned counsel for the 2nd respondent Mr.S.Arun Kumar 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 has preferred the present appeal to enhance the compensation of Rs.7,26,637/- as awarded by the Lower Court to Rs.12,00,000/-.

2.It is represented by the respondent United India Insurance Co. Ltd., that the claimants have preferred the appeal. Now the Insurance Company have agreed to deposit further a sum of Rs.3,00,000/- with interest at the rate of 7.5% from the date of filing of the MACT.O.P.No.3898 of 2008, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the first claimant/first appellant is permitted to withdraw a sum of Rs.2,00,000/- with interest and the second and third claimant/second and third appellants are permitted to withdraw a sum of Rs.50,000/- with interest each. Award is modified accordingly.

3.The Tribunal is directed to transfer the above said modified award amount to the individual bank account of the appellants by way of NEFT/RTGS, on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

4.The Civil Miscellaneous Appeal is disposed of accordingly.

This Lok Adalat award is passed in terms of the above settlement.

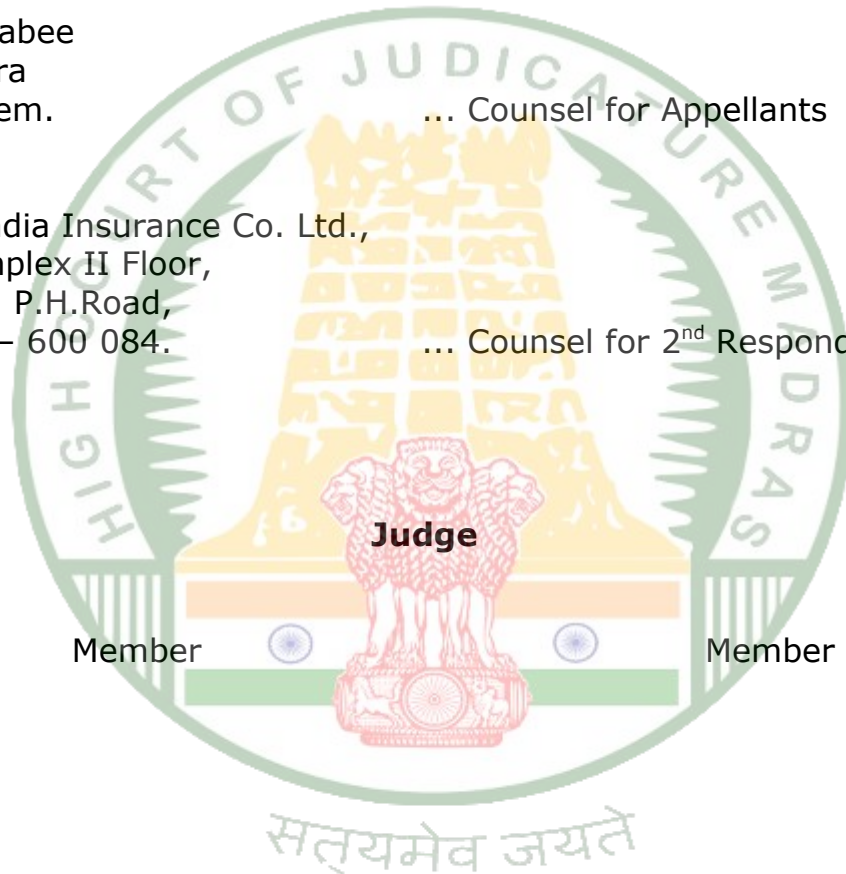
The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

1.M.Tharabee
2.M.Sabira
3.M.Saleem.

... Counsel for Appellants

United India Insurance Co. Ltd.,
A.R. Complex II Floor,
No.1090, P.H.Road,
Chennai – 600 084.

... Counsel for 2nd Respondent



To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal,
In the III 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.

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M.NIRMAL KUMAR.J,

ah/vv2



C.M.A.No.2233 of 2012

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09.03.2019