

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
NATIONAL LOKADALAT organised by the High Court Legal Services Committee
Saturday, the 13th day of July, 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 J.A.K.SAMPATH KUMAR (Retd.)

and

Members

Mr.Thanikasalam, District Judge (Retd.,)
Mr.B.Radha Krishnan Advocate

C.M.A.No.2287 of 2013

(Appeal against the judgment and decree dated 06.03.2012 made in
M.C.O.P.No.2458 of 2010 on the file of the Motor Accidents Claims Tribunal, Vth
Court of Small Causes, Chennai.)

1. Siva Kumar
2. Maragatha Mala
3. Saravana Kumar
4. ThamaraiSelvi

.. Appellants

Vs.

1. Deenan
2. Bajaj Alliance General Insurance Co. Ltd.,
No.25 & 26, College Road,
Nungambakkam,
Chennai – 6.

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. The learned counsel for the appellants Mr.F.Terry Chellaraja and the learned counsel for the 2nd respondent Mr.S.Manohar 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.5,90,000/- with interest at 7.5% per annum from the date of petition till the date of deposit, as compensation against the Bajaj Alliance General Insurance Co. Ltd.,. It is informed that the claimants have withdrawn the award amount with interest deposited by the Insurance Company.

2. Not satisfied with the award of the Tribunal, the appellant / claimant has preferred the present appeal for enhancement. Now, both the parties have agreed for a sum of Rs.4,25,000/- (Rupees Four Lakhs Twenty Five Thousand only) in full quit as compensation over and above the award amount of the Lower Court.

3. The respondent/Insurance Company is directed to deposit the above said enhanced award amount of Rs.4,25,000/- (Rupees Four Lakhs Twenty Five Thousand only) in full quit, within a period of four weeks from the date of receipt of a copy of this order.

4. On such deposit, the appellants / claimants are permitted to withdraw the same in equal amount without filing any formal petition. The Award is passed accordingly.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT to the parties 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. Consequently, connected miscellaneous petition is closed if any.

1. Siva Kumar
2. Maragatha Mala
3. Saravana Kumar
4. ThamaraiSelvi

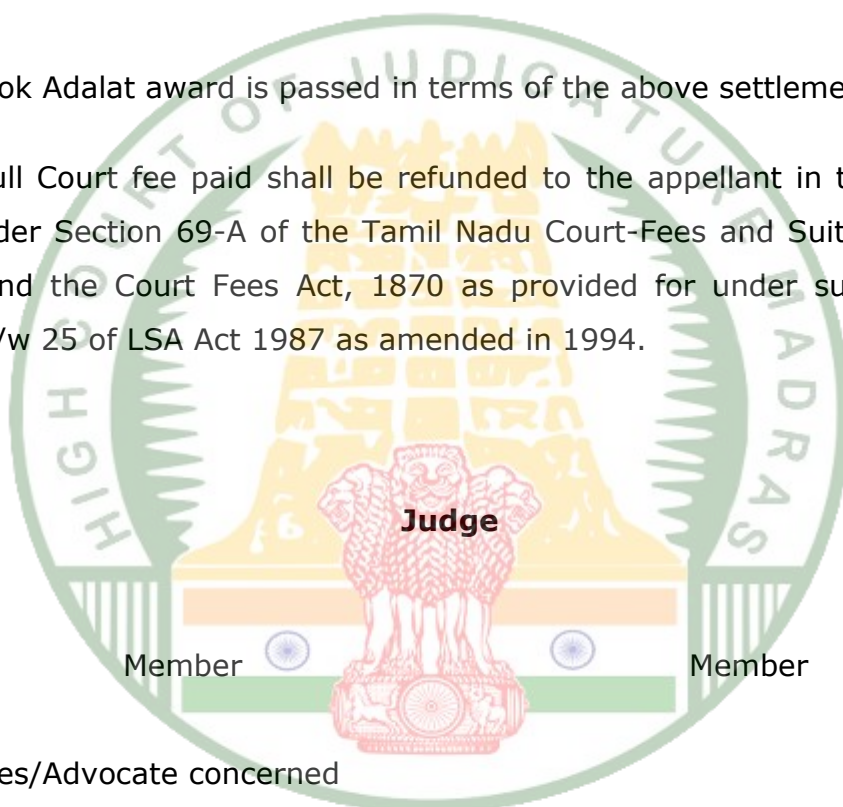
Counsel for the Appellants

Bajaj Alliance General Insurance Co. Ltd.,
No.25 & 26, College Road,
Nungambakkam,
Chennai – 6.

Counsel for the 2nd 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.



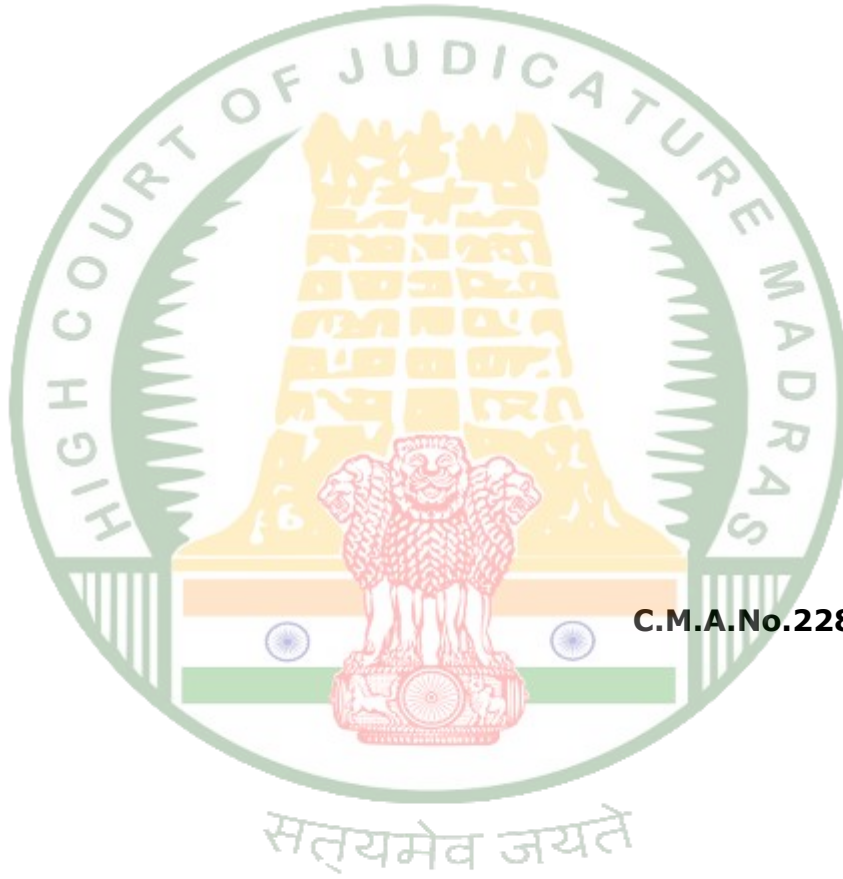
To: The parties/Advocate concerned
Copy to:

1. Motor Accidents Claims Tribunal, Vth 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

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J.A.K.SAMPATHKUMAR (Retd.)

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