

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th December 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 G.K. ILANTHIRAIYAN

and

Members

Mr.A.Manivasakan, District Judge (retd)

Mrs.Sudharshana Sunder

C.M.A.NO.2768 of 2012

and M.P.No.1 of 2012

(Appeal against the judgment and decree passed on 11.01.2012 made in MCOP.No.60 of 2006 on the file of the Motor Accidents Claims Tribunal, Principal District Judge, Puducherry).

The Divisional Manager
United India Insurance Co. Ltd
Puducherry.

.. Appellant

/versus/

1.Aroquidasse
2.Augustine
3.Carolline
4.M/s.Bharath English School rep.by
Principals, Cuddalore Road,
Ariyankuppam, Puducherry.

.. Respondents

(R4 set exparte before the Tribunal)

This matter is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.P.Sankaranarayanan, learned counsel for appellant insurance company and M/s.A.Tamilvanan, learned counsel for the respondents/claimants are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

JUDGMENT

The Tribunal has awarded a compensation of Rs.2,94,000/- with interest at the rate of 7.5% per annum to the respondents/claimants. Challenging the same, the appellant insurance company has filed the present appeal.

2.After due deliberation and consultation, both the parties have agreed to reduce the award amount to a sum of Rs.2,25,000/- with proportionate accrued bank interest. The award of the Tribunal is accordingly, modified.

G.K.ILANTHIRAIYAN, J.

rk

3.It is reported that as per the order of this Court, the appellant insurance company has already deposited the entire award amount along with proportionate interest. The Tribunal shall transfer the modified compensation amount to the respective savings bank accounts of the respondents/claimants, as per the ratio of apportionment made by the Tribunal, through RTGS forthwith, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition. In view of the aforesaid modification, the appellant insurance company is permitted to withdraw the balance amount, if any, lying in the deposit, on making proper application.

4.Accordingly, the Civil Miscellaneous Appeal is disposed of. Consequently, connected civil miscellaneous petition is closed.

The Divisional Manager
United India Insurance Co. Ltd
Puducherry.

Counsel for the Appellant

1.Aroquidasse

2.Augustine

3.Carolline

Counsel for the respondents

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.

Judge

Member

Member

To:The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, Principal District Judge, Puducherry.
- 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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