

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 14th day of September 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 C.V.KARTHIKEYAN

and

MEMBERS: 1.Mr.M.G.Jayavel, Senior Sub Judge

2.Mr.V.Vasanthakumar

C.M.A.No.1962 of 2016

Against the award and decree dated 26.11.2015 in M.A.C.T.O.P.No.5662 of 2013 on the file of the Motor Accidents Claims Tribunal, II Judge (Court of Small Causes), Chennai.

U.S.Kavin (Minor)
rep. by his father & n.f.P.Shankar

/versus/

.. Appellant

1. V.K.Karthick

2. The New India Assurance Co. Ltd.,
Motor Third Party Claims Cell,
No.45 Moor Street,
Chennai- 600 001.

Now functioning at:

The New India Assurance Co. Ltd.,
Motor Third Party Claims HUB,
Bombay Mutual Buildings, 6th Floor,
No.232, N.S.C. Bose Road, Chennai-600 001.

..Respondents

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

present. **Mr.M.Swamikkannu**, learned counsel for the appellant,

Mr.J.Chandran, learned counsel for the 2nd respondent 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 claimant has filed the appeal against the order of the tribunal for enhancement of compensation. The claim petition was filed for a total claim of Rs.16,00,000/-. The tribunal has passed an award for a sum of Rs.2,05,000/-. The parties have arrived at a settlement. The claimant is present in person along with his counsel. The claimant has agreed to receive a consolidated sum of Rs.1,00,000/- in full quit over and the above awarded by the tribunal. This amount shall be deposited by the Insurance Company within a period of six weeks from today.

2. On such deposit, the appellant/claimant is entitled to withdraw a sum of Rs.1,00,000/- without filing any formal petition. The appellant is the minor. The Tribunal is directed to deposit the amount in fixed deposit in a National Bank till the minor attains majority. The appellant/father is entitled to withdraw the interest accrued thereon from the fixed deposit once in three months towards maintenance of the minor appellant, till he attains majority.

3. The Tribunal is directed to transfer the amount through RTGS/NEFT 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. Consequently, connected Miscellaneous Petitions are closed, if any.

U.S.Kavin (Minor)
rep. by his father & n.f.P.Shankar

Counsel for the Appellant

1. V.K.Karthick

2. The New India Assurance Co. Ltd.,
Motor Third Party Claims Cell,
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Counsel for the Respondents

C.V.KARTHIKEYAN, J

KMI/UB

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

The Court fee paid shall be refunded to the appellant 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.

Member Judge Member

To: The parties/Advocates concerned

Copy to:

1. The Motor Accident Claims Tribunal, II Judge (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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