

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.930 of 2015

Appeal against the award and decree passed on 23.07.2014 in M.C.O.P.No.2258 of 2008 on the file of the Motor Accidents Claims Tribunal, Chief Judge, Small Causes Court, Chennai.

1.S.Salsa
2.S.Saranya

.. Appellants

Vs.

1.Prabhakaran
2.Bajaj Allianz General Insurance Co Limited,
Flat No.F2, Ground Floor,
Door No.30, MG Road,
Sasthri Nagar, Thiruvannamiyur,
Chennai 41.

.. Respondents

Though this case is not listed today, this case came up for settlement before the National Lok Adalat. **Appellants/claimants are present. Ms.Ramya, learned counsel for the Appellants is present and Mr.M.B.Raghavan, 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 fatal. The Tribunal has awarded a sum of Rs.7,23,000/- as compensation to the claimants with interest at 7.5% per annum. Aggrieved by the Award, seeking enhancement of compensation, the Claimants have 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.7,23,000/- awarded by the Tribunal, the Appellants/claimants have agreed to receive a sum of Rs.5,00,000/- (Rupees Five Lakhs only) 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/Claimants are entitled to withdraw the entire award amount along with the enhanced compensation now awarded, as per the ratio apportioned by the Tribunal, after adjusting the amount, if any, already withdrawn.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.

1.S.Salsa

2.S.Saranya

.. Counsel for the Appellants

1.Prabhakaran

2.Bajaj Allianz General Insurance Co Limited,
Flat No.F2, Ground Floor,
Door No.30, MG Road,
Sasthri Nagar, Thiruvannamipur,
Chennai 41.

... 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.

Member **Judge** **Member**

To :

The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, 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.

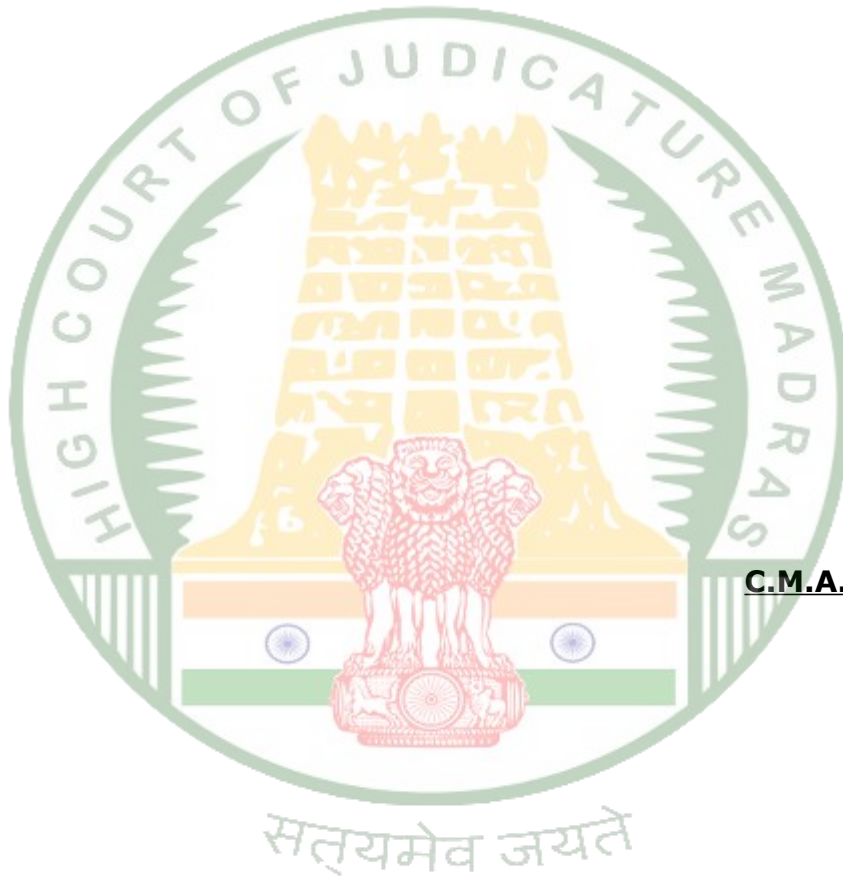
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S.VAIDYANATHAN,J.

(tsg/aeb)



C.M.A.No.930 of 2015

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09.03.2019