

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: Mrs.S.Jayakumari
Mr.P.Rosaiah

C.M.A.No.2008 of 2016 and C.M.P.No.14555 of 2016

Appeal against the award and decree passed on 18.04.2016 in M.C.O.P.No.2870 of 2012 on the file of the Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Cuddalore.

United India Insurance Co. Ltd.,
Nethaji Road, Manjakuppam,
Cuddalore.

.. Appellant

Vs.

1.Udhayakumar
2.M.Sekar

...Respondents

This case came up for settlement before the National Lok Adalat. **Mr.Srinivasan Ramalingam, learned counsel for the Appellant is present. Mr.N.Jawahar for M/s.Baskar, learned counsel for the Respondents 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

This is a case of injury. Challenging the award passed by the Tribunal dated 18.04.2016 in M.C.O.P.No.2870 of 2012 granting compensation of Rs.25,00,000/- for the injury suffered by the claimants, the tribunal has awarded a sum of Rs.9,46,120/- together with interest at 7.5% per annum. The Insurance Company has preferred the present Civil Miscellaneous Appeal. During the pendency of the CMA, a sum of Rs.11,94,963/- has been deposited by the Insurance Company.

2. After negotiation, the award of the Tribunal is modified as follows:

(i) Now, the parties have agreed to compromise among themselves and the Insurance Company has agreed to pay a sum of **Rs.8,90,000/- (Rupees Eight Lakhs Ninety Thousand only)** and the injured has agreed to receive the said sum as full quit.

S.VAIDYANATHAN,J.
rna

(ii) The injured is entitled to withdraw the amount and the balance amount lying in deposit with the Tribunal shall be returned to the Insurance Company.

(iii) 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. Consequently, connected Miscellaneous Petition is also dismissed.

United India Insurance Co. Ltd.,
Nethaji Road, Manjakuppam,
Cuddalore.

.. Counsel for the Appellant

1.Udhayakumar

2.M.Sekar

... 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.

Judge

Member

Member

To :

The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, Chief Judicial Magistrate, Cuddalore.
 - 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

C.M.A. No.2008 of 2016