

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.3347 of 2013

(Appeal against the judgment and decree passed on 12.08.2013 in M.C.O.P.No.3855 of 2009 on the file of the IV Small Causes Court(Motor Accident Claims Tribunal), Chennai.

D.Karthikeya

.... Appellant

Vs.

A.Gopi

(1st respondent remained ex-parte)

2. Bajaj Allianz General Insurance Co.Ltd.,
No.276,277, New No.497,498,
Isanakattim Buildings, 5th Floor,
T.N.Pollution Control Board,
PH.Road, Arumbakkam, Chennai -600 106.

.... Respondents

This Case is not listed today, by consent of both parties, this case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.R.Kalai Arasan, learned counsel for the appellant and Mr.S.Manohar, learned counsel for the second 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 Tribunal has awarded a sum of Rs.2,81,600/- with interest at 7.5% per annum from the date of petition till the date of deposit.

2. Against the award, the appellant/claimant filed the appeal for seeking enhancement.

3. After due deliberation and consultation, both the parties have agreed to enhance the award amount to an extent of Rs.1,20,000/- in full quit and over and above the award amount.

4. It is informed that the claimant/appellant has already withdrawn the entire amount deposited before the Lower Court. In such view of the fact, the Insurance Company/respondent is directed to deposit the enhancement amount of Rs.1,20,000/- in full quit within a period of four weeks from the date of receipt of a copy of this Order.

5. On such deposit, the appellant/claimant is entitled to withdraw the same without filing any formal petition. The Award is passed accordingly.

6. 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 if any, is closed .

D.Karthikeya

Counsel for the appellant

Bajaj Allianz General Insurance Co.Ltd.,
No.276,277, New No.497,498,
Isanakattim Buildings, 5th Floor,
T.N.Pollution Control Board,
PH.Road, Arumbakkam,
Chennai -600 106.

Counsel for the second 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.

Judge

Member

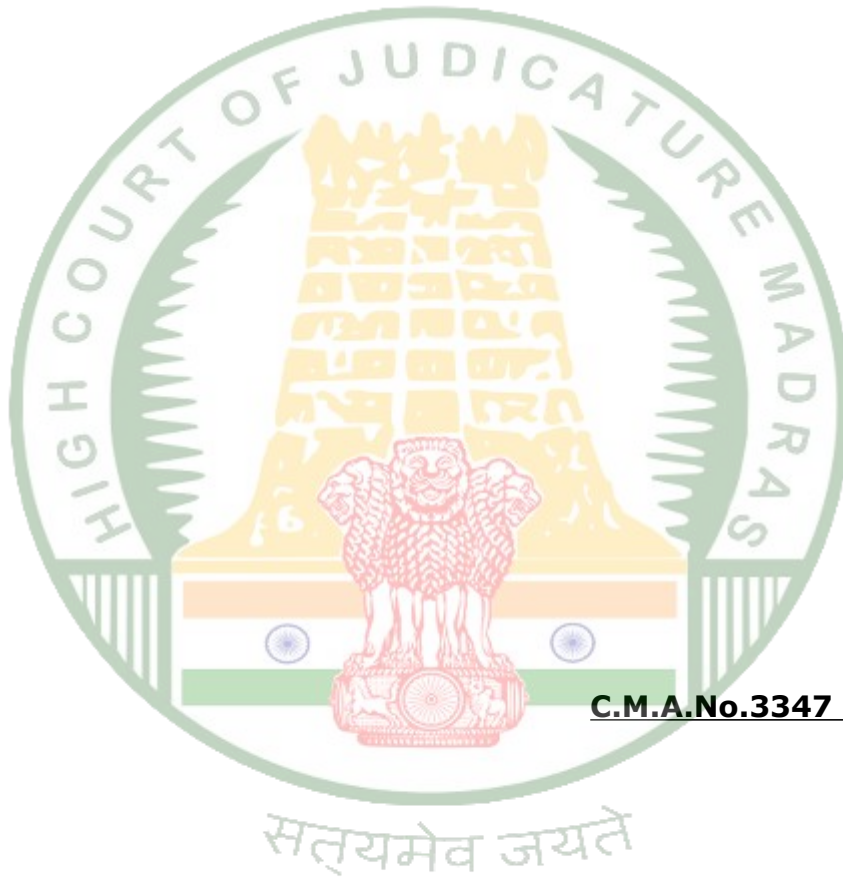
Member

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To: The parties/Advocate concerned

Copy to:

1. The IV Small Causes Court (Motor Accident Claims Tribunal), 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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13.07.2019