

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of December, 2019

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE C. SARAIVANAN

and

Members

Mrs.Revathi G.Mohan

Mr.M.Sambasivam

C.M.A.No.684 of 2016

[Appeal against the judgment and decree passed on 20.04.2015 in MCOP.No.813 of 2013 on the file of the Motor Accidents Claims Tribunal, learned IV Judge, Small Cause Court, Chennai.

Oriental Insurance Company Limited,
Motor Third Party Claims Hub,
No.216, Prakasam Salai, Broadway,
Chennai - 600 001.

... Appellant

Vs.

- 1.Nandhini
- 2.N.Sarathy

.. Respondents

(Second respondent set exparte in the lower Court.
Hence, notice is dispensed with)

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.R.Sivakumar and learned counsel for the first respondent Mr.N.M.Muthurajan 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.8,42,000/- with interest at 7.5% per annum from the date of numbering of the petition till the date of realisation and cost. It is represented by the learned counsel for the appellant that the aforesaid amount has already been deposited together with proportionate interest and costs before the

Tribunal.

2. Aggrieved over the award of the Tribunal, the appellant/Insurance Company has preferred the present appeal. Now, both the parties have agreed to modify the award to a sum of Rs.6,42,000/- (Rupees Six lakhs fourty two thousand only) together with interest and cost as compensation. After satisfaction of decree, the Tribunal is directed to refund the balance amount of Rs.2,00,000/-, to the Insurance Company together with the proportionate interest without filing any formal petition. The Award is passed accordingly

3. The Tribunal is directed to issue the cheques 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.

Oriental Insurance Company Limited,
Motor Third Party Claims Hub,
No.216, Prakasam Salai, Broadway,
Chennai - 600 001.

Counsel for the Appellant

Nandhini

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/
IV Judge, Small Cause Court, 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.

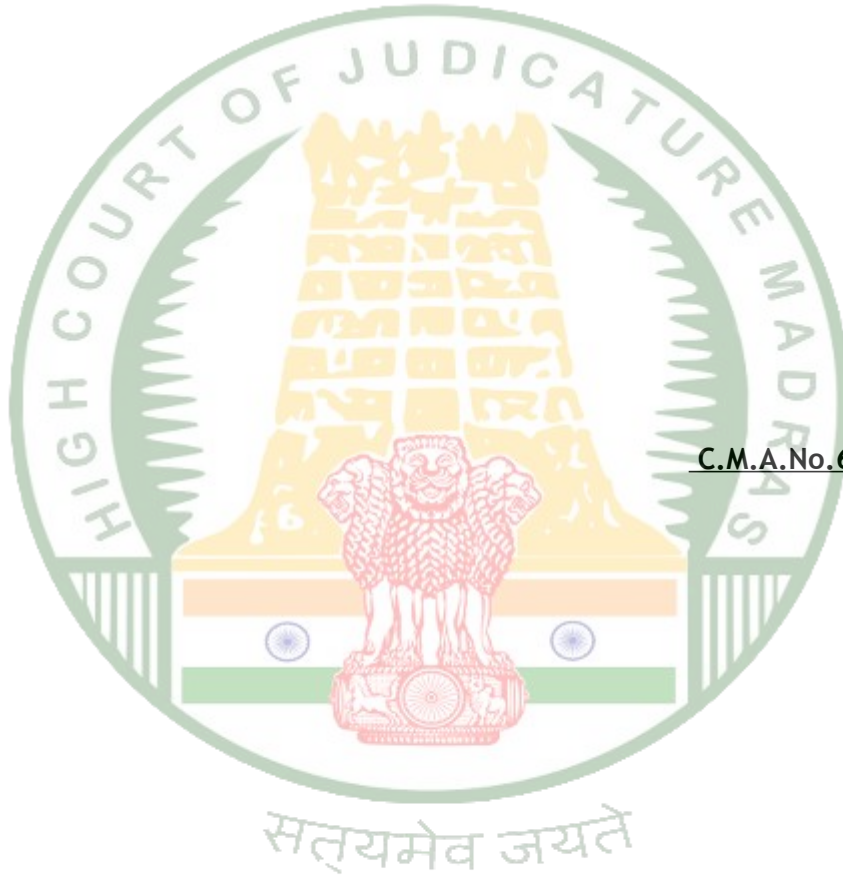
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C.SARAVANAN,J.

rst/jen



C.M.A.No.684 of 2016

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14.12.2019