

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

Monday, the 5th day of August, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr. JUSTICE R. KARUPPIAH (Retd.)

and

Member

Mr. V. Arumugam

C.S. No.681 of 2013

Civil Suit filed by the Plaintiff against the Defendant for Judgment and Decree for a sum of Rs.1,59,30,000/- and interest @24% p.a. on Rs.90,00,000/- from the date of the suit till the date of realization in full. The Defendant has filed a counter claim against the plaintiff for a recovery of sum of Rs.2,04,14,250/- together with further interest @12% p.a. on Rs.96,75,000/- from the date of the counter claim till the date of realization in full.

M/s. Kirloskar Construction and
Engineers Limited,
Now known as
Karad Projects and Motor Limited
Rep. By its Assistant Manager (Legal)
Mr. Vishwas Vijapure,
having its registered office at
Raj Paris Trimeni Towers, 2nd Floor,
147, G.N. Chetty Road, T. Nagar,
Chennai - 600 017.

... Plaintiff

Vs.

M/s. Lloyds Insulation (India) Limited,
No.5, Haddows Lane, Off Haddows Road,
Nungambakkam, Chennai- 600 006.

.. Defendant

This case has been listed today and came up for settlement before the Lok Adalat. Mr. Vijayakumar Kulkarni, CFO (Corporate Finance & Accounts) of the Plaintiff Company and Mr. S.Natarajan, Senior General Manager-Finance of the Defendant Company are present. The learned counsel for the Plaintiff Mr.K.Balamurali, for M/s. Shivakumar & Suresh and learned counsel for the Defendant Mr.K.K. Murrallitharan 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

When the matter came up before this Forum, both parties are present along with their respective counsel.

2. This suit arises out of a contract between the plaintiff as a Contractor and the respondent as its sub-contractor.

3. After due deliberation and consultation, both the parties have agreed to settle the matter for Rs.35,00,000/- (Rupees Thirty Five Lakhs only). It is ordered that the plaintiff is entitled for decree. Accordingly, the settlement has been arrived in terms that the defendant shall make the payment of Rs.35,00,000/- as full and final settlement in four installment as per the details given below:

Sl. No.	Date of Payment	Amount
1.	15.08.2019	5,00,000.00
2.	05.09.2019	10,00,000.00
3.	05.10.2019	10,00,000.00
4.	05.11.2019	10,00,000.00

4. The Defendant is directed to pay the aforesaid amount as on specified date as agreed by both parties by way of RTGS. Accordingly, the award is passed.

5. In case if the defendant fails to make any one of the payment/s as per the schedule mentioned above, the

plaintiff will be entitled for the entire suit claim as claimed in the plaint.

The Civil suit and the counter claim are disposed of accordingly.

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सत्यमेव जयते

Counsel for the Plaintiff

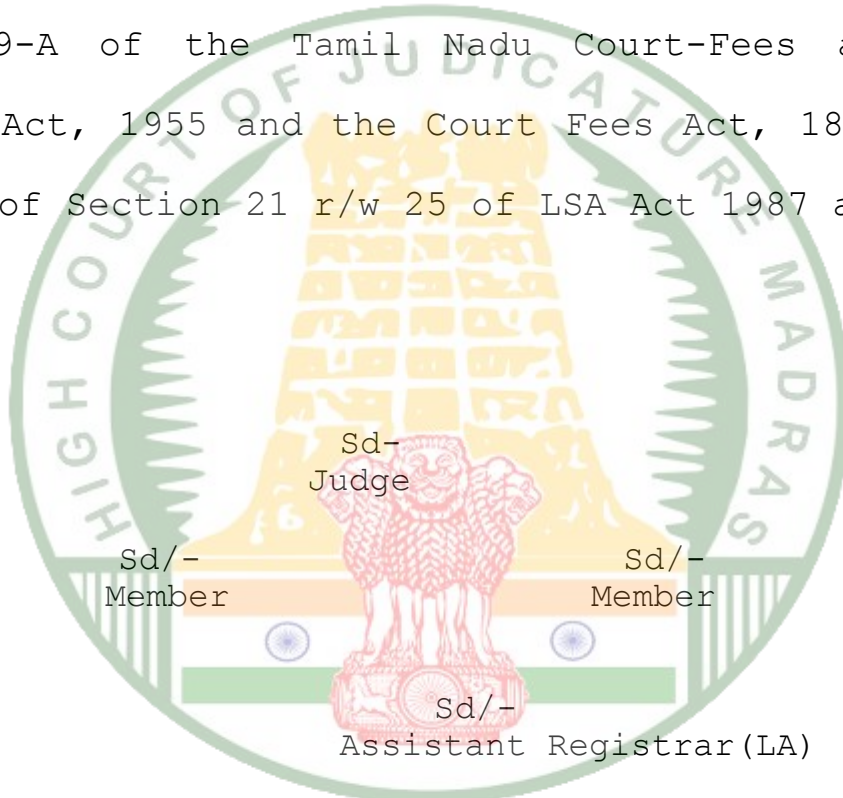
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M/s. Lloyds Insulation (India) Limited,
No.5, Haddows Lane, Off Haddows Road,
Nungambakkam, Chennai- 600 006.

Counsel for the Defendant

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

The full Court fee paid shall be refunded to the plaintiff and the defendant 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 per sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.



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Sub Assistant Registrar (OS)

To: The parties/Advocate concerned

Copy to:

1. The Secretary,

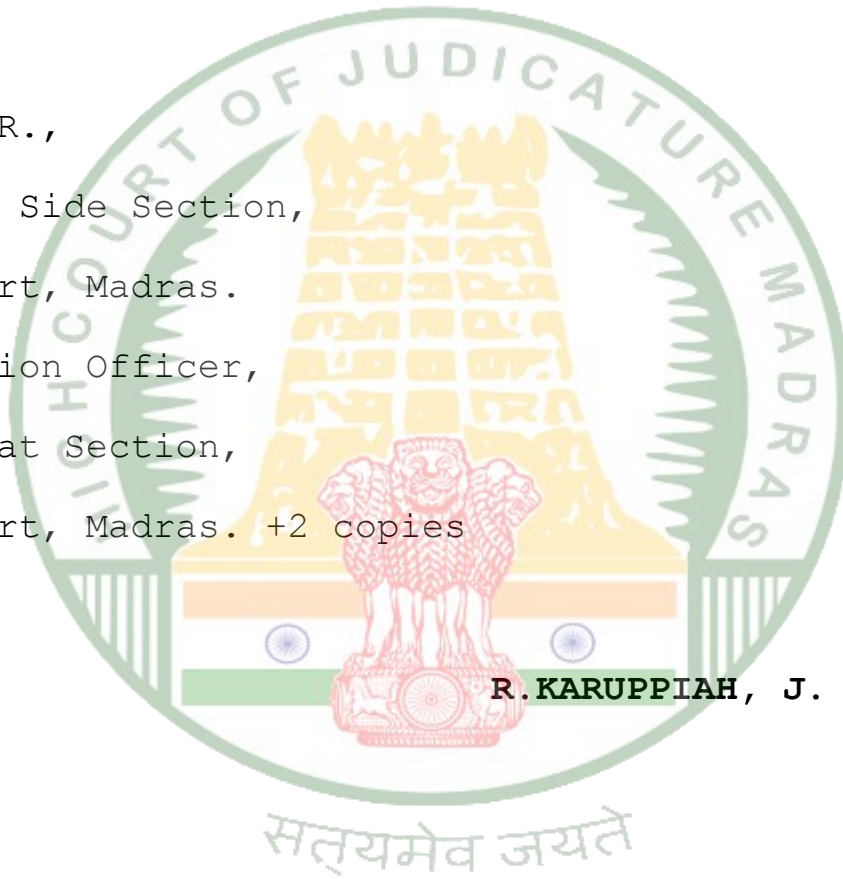
High Court Legal Services Committee,
Chennai.

2. The S.A.R.,

Original Side Section,
High Court, Madras.

3. The Section Officer,

Lok Adalat Section,
High Court, Madras. +2 copies



R. KARUPPIAH, J. (Retd.)

lbm

C.S. No.681 of 2013

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