

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th day of July, 2019

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE P.THANGAVEL (RETD.)

and

Members

Mr.M.Sambasivam (District Judge Retd.)

Mr.A.Kothandaraman.

C.M.A.No.2620 of 2019

(This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1989, to set aside the Judgment and Decree dated 04.03.2019 in M.C.O.P.No.2299 of 2015 on the file of Motor Accidents Claims Tribunal, (I Additional Sub Judge), at Cuddalore.

Sureshkumar

... Appellant

Vs.

1.P.Shankar

2.The Divisional Manager,
United India Insurance Co Ltd.,
Cuddalore.

(1st respondent set exparte before the Tribunal)

...Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr.S.Udayakumar, learned counsel appearing for the appellant and Mr. P.Sankaranarayanan, learned counsel appearing for the

second respondent are present.

TERMS OF SETTLEMENT

The appeal in C.M.A No.2620 of 2019 pending on the file of the High Court of Madras and preferred against the award passed in M.C.O.P.No.2299 of 2015 on the file on the file of Motor Accidents Claims Tribunal, (I Additional Sub Judge), at Cuddalore has been referred to Lok Adalat for conciliation today.

2. The claimant/petitioner, who is the appellant herein, assisted by the counsel and the learned counsel Mr. Sankaranarayanan assisting the second respondent/United India Insurance Co., Ltd., Pondicherry, are present before the Lok Adalat for conciliation today. This is a case of motor accident causing injury to the appellant/petitioner. The Tribunal has passed an award for a sum of Rs.2,41,664/-(Rupees Two Lakhs Forty One Thousand Six Hundred and Sixty Four only) with interest at 7.5 % per annum from the date of petition till the date of the deposit. After great deliberation and discussion, both the parties have compromised the disputed claim at Rs.1,00,000/- (Rupees One Lakhs only) with interest at 7.5% per annum from the date of petition till the date of the deposit in addition to the award already passed by the Tribunal. Admittedly, the awarded amount has not been deposited before the Tribunal. The second respondent/Insurance Company has agreed to deposit the awarded amount as

well as the enhanced compensation amount mentioned above within six weeks from the date of receipt of a copy this award.

3. In view of the compromise arrived at between both the parties, the Lok Adalat hereby declare and decree that the appellant/insurance company shall pay a sum of Rs.1,00,000/-(Rupees One Lakhs only) with interest at 7.5% from the date of petition till the date of deposit in addition to the award already passed by the Tribunal within a period of six weeks from the date of receipt of a copy of this award. On such deposit of the entire amount, the appellant/petitioner is permitted to withdraw the entire compromised amount from the Tribunal without filing any formal petition. No order as to costs.

Sureshkumar

Counsel for the Appellant

P.Shankar

(1st respondent set exparte before the Tribunal)

The Divisional Manager,
United India Insurance Co Ltd.,
Cuddalore.

Counsel of the Respondents

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 the LSA Act 1987 as amended in 1994.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, (I Additional Sub Judge), at Cuddalore
2. The Divisional Manager, United India Insurance Co Ltd., Cuddalore.
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R. Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies
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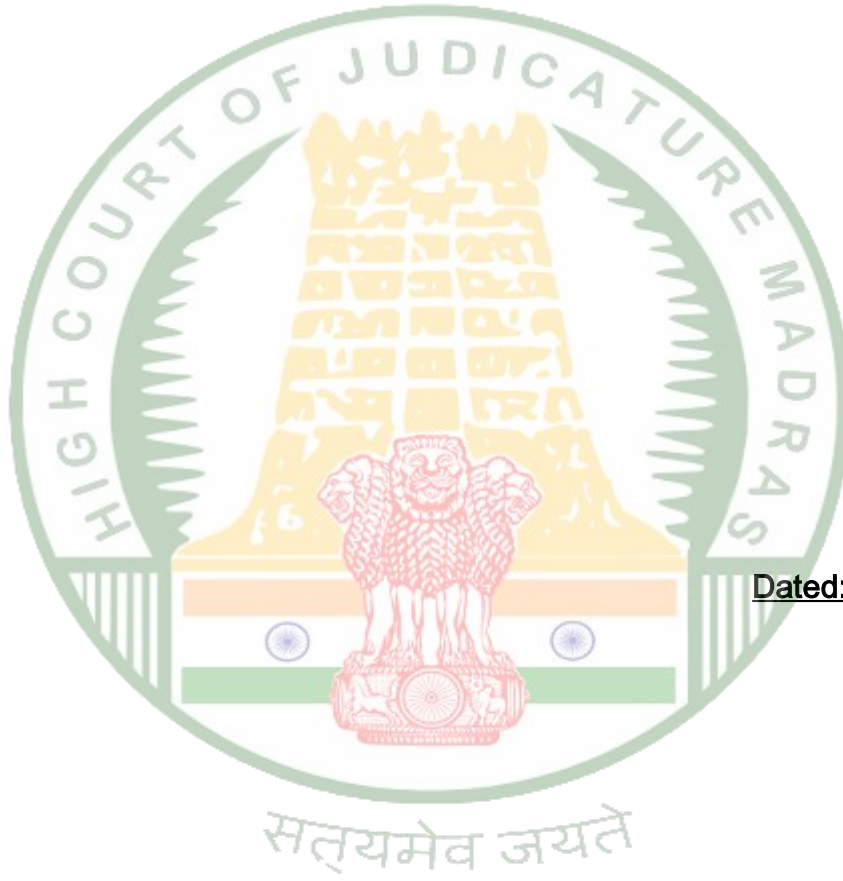
P.THANGAVEL, J.(Retd.)

ay/ssm

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C.M.A.No.2620 of 2019



Dated:13.07.2019

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