

NATIONAL LOK ADALAT

Organised by the High Court Legal Services Committee
Saturday, the 09th day of March, 2019

LOK ADALAT AWARD

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

Presided by

THE HON'BLE Mr. JUSTICE M.NIRMAL KUMAR

and

Members:

Mr.T. Sankara Narayanan Pillai
Mr.Tranqubar Dorai Vasu

C.M.A.No.552 of 2014

The Appeal is filed against the Judgment and Decree dated 10.10.2013 made in MACT O.P.No.3453 of 2012 on the file of the III Judge, Motor Accidents Claims Tribunal, (Court of Small Causes), Chennai.

R.Ramesh Kumar,
S/o. V.Nagaiah Naidu,
No.3, Tank Bund Road,
Pushpa Nagar, Nungambakkam,
Chennai – 600 034.

...Appellant

Vs.

1.A.S.K.Afsar Hussain,
No.210/118, Adam Sahib Street,
Royapuram, Chennai – 600 013.
(1st respondent was Set exparte in the Trial Court)

2.United India Insurance Co. Ltd.,
No.19, Andiappa Gramini Street,
Royapuram, Chennai – 600 013.
Serviced at
United India Insurance Co. Ltd.,
Motor Third Party Claims – Hub
Silingi Buildings, No.134, Greams Road,
Chennai – 600 006.

...Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.P.T.Salim Fathima and the learned for the 2nd respondent Mr.S.Arun Kumar 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 appellant has preferred the present appeal aggrieved against the Award of the Tribunal to enhance the compensation from Rs.1,06,000/- to Rs.9,00,000/- with higher rate of interest and costs.

2. It is represented by the United India Insurance Co. Ltd., that already award amount of Rs.1,06,000/- including interest total Rs.1,22,048/- has been deposited and the same has been withdrawn by the claimant. In addition to that effect Rs.1,25,000/- arrived, by way of compromise, it is agreed by both sides that the compensation amount shall be re-fixed at Rs.1,25,000/- in full quit (inclusive of interest) over and above the amount already withdrawn and it shall be deposited within a period of six weeks from the date of receipt of a copy of this order as full quit and the claimant is permitted to withdraw the same, without filling any petition. Award is modified accordingly.

M.NIRMAL KUMAR.J,

ah/vv2

3. The Tribunal is directed to transfer the above said modified award amount to the individual bank account of the appellant by way of NEFT/RTGS, on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.

4.The Civil Miscellaneous Appeal is disposed of accordingly.

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.

R.Ramesh Kumar,
S/o. V.Nagaiah Naidu. ... Counsel for Appellant

United India Insurance Co. Ltd.,
No.19, Andiappa Gramini Street,
Royapuram, Chennai – 600 013.
Served at
United India Insurance Co. Ltd.,
Motor Third Party Claims – Hub
Silingi Buildings, No.134, Greams Road,
Chennai – 600 006. ... Counsel for 2nd Respondent

Judge

Member

Member

To

The parties/Counsel concerned

Copy to

- 1.The Motors Accidents Claims Tribunal,
In the III Court of Small Causes, 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.



C.M.A.No.552 of 2014

09.03.2019

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