

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.1799 of 2017

The Appeal is filed to set aside the award and decree dated 21.08.2015 made in M.C.O.PNo.3020 of 2013 on the file of Motor Accidents Claims Tribunal, (IV Court of Small Causes Chennai) by allowing this Civil Miscellaneous Appeal.

United India Insurance Co.Ltd.,
No.134, Sillingi Buildings, 4th floor,
Greams Road, Chennai-6.

...Appellant

सत्यमेव जयते
Vs.

1.K.Rama

W/o.Varatharajan,
No.27/19B, Sai Subramani Apartments
Temple Avenue,
Srinagar Colony,
Saidapet,
Chennai-15

2.Velan

No.46, Drivers Street,
Pudupet,
Chennai-600 002

...Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.Arun kumar and the learned for the respondents Mr.F.Terry Chella Raja 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.

The Tribunal has awarded a sum of Rs.5,27,000/- with interest. Challenging the said award, the insurance company has filed the present appeal. The insurance company has deposited the entire award amount with interest. Now, the Insurance company and the claimants have arrived at a compromise. As per the compromise, the award amount has been modified to the extent of Rs.3,00,000/- in full quit. Hence, the claimant is entitled to withdraw a sum of Rs.3,00,000/- only and the balance amount shall be withdrawn by the Insurance Company with accrued interest. In all other aspects, the observation made by the tribunal for the pay and recovery shall continue to sustain.

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.

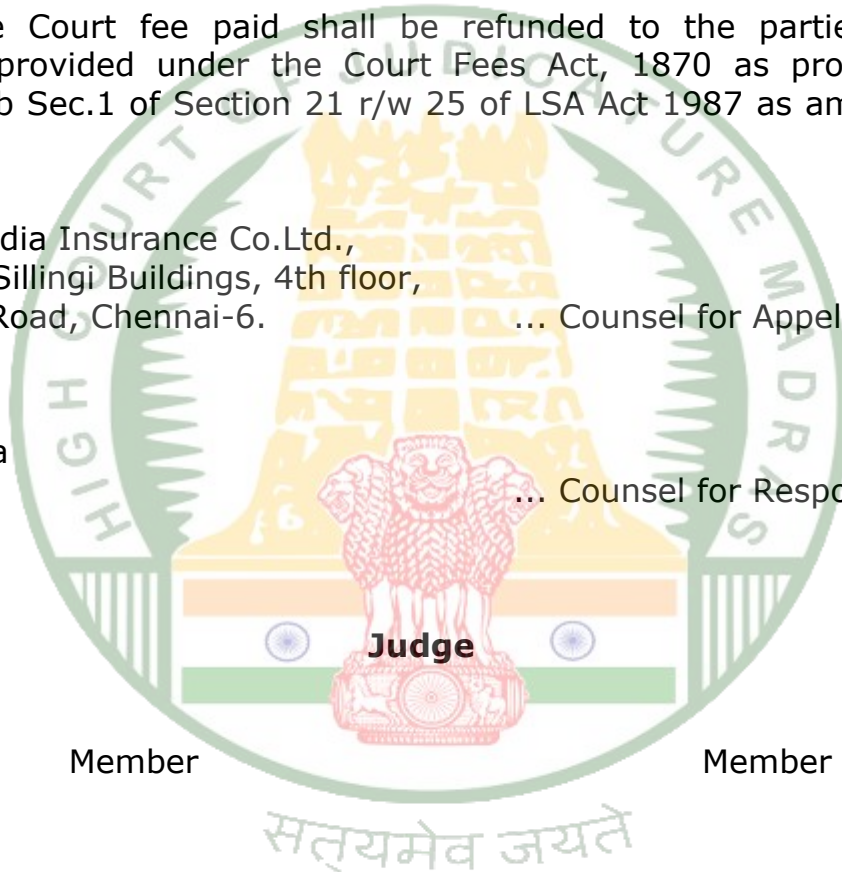
This Lok Adalat award is passed in terms of the above settlement.

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.

United India Insurance Co.Ltd.,
No.134, Sillingi Buildings, 4th floor,
Greams Road, Chennai-6. ... Counsel for Appellant

1.K.Rama
2.Velan

... Counsel for Respondents



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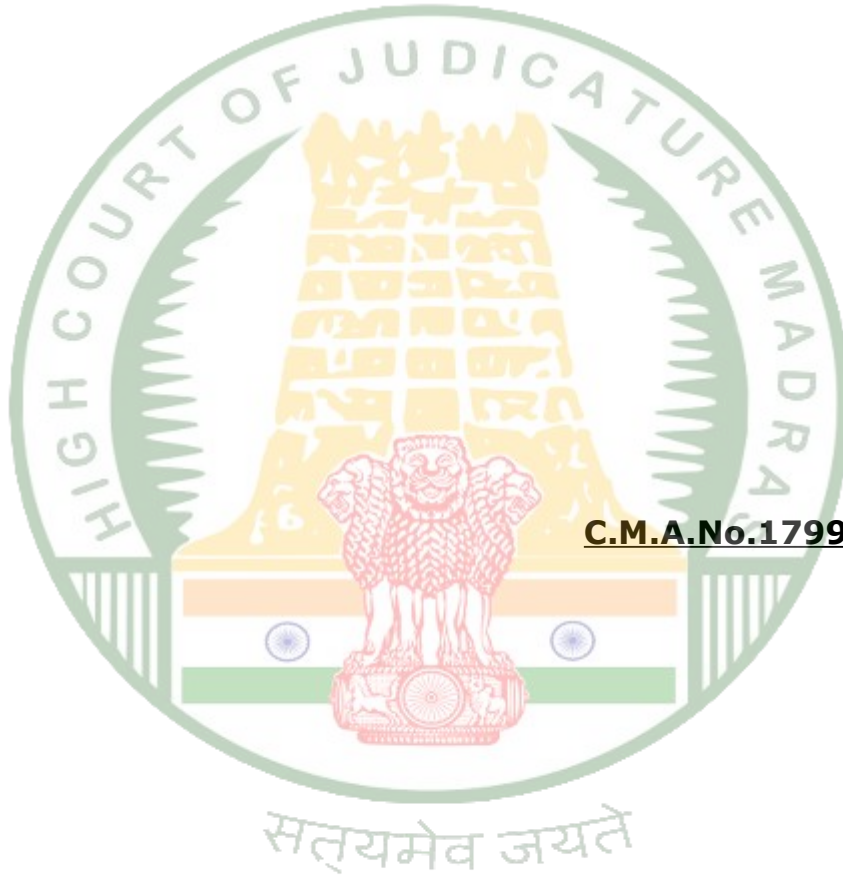
The parties/Counsel concerned

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.

M.NIRMAL KUMAR.J,

vv2



C.M.A.No.1799 of 2017

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09.03.2019