

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Monday, the 30th day of September, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)

and
Member

Mr. K. Ramakrishnan

C.M.A.No.1934 of 2017

Appeal against the Judgment and decree dated 10.07.2015 made
in M.C.O.P.No.953 of 2010 on the file of the Motor Accidents
Claims Tribunal, (VI Court, Small Causes Court), Chennai.

M/s.The Oriental Insurance Co. Ltd,
Oriental House II Floor,
Old No.216/115, Prakasam Salai,
Broadway, Chennai - 600 108.

...Appellant/2nd Respondent

Vs.

1.K. Mahesh

..1st Respondent/Petitioner

2.S. Khader Basha

..2nd Respondent/1st Respondent

This case has been listed today and came up for settlement
before the Lok Adalat. Both parties are present. The learned
counsel for the appellant Mr.D. Bhaskaran, and the learned
counsel for the Respondent-1 Mr.Senthilvel Murugan, for
M/s.Saleem Fathima and Mr.S. Balakrishnan, Manager, The Oriental
Insurance Co. Ltd, 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 appeal in CMA.No.1934 of 2017 pending on the file
of High Court, Madras and preferred against the award passed in

MCOP.No. 953 of 2010 on the file of the Motor Accidents Claims Tribunal, (VI Court, Small Causes Court), Chennai, has been referred to Lok Adalat for conciliation today.

2. The Tribunal has awarded a sum of Rs.10,00,000/- with interest at 7.5% per annum from the date of petition till the date of deposit. Aggrieved by the award of the Tribunal, the appellant / Insurance Company has preferred the present appeal.

3. The Manager of the the Insurance Company has submitted that as per the award of the Tribunal, the Insurance Company has deposited only principal amount of Rs.10,00,000/- (Rupees Ten Lakhs Only) without interest in the lower Court.

4.Now, after due deliberation and consultation, both the parties have agreed to settle the matter for Rs. 9,40,000/- (Rupees Nine Lakhs and Forty Thousand Only) with interest @7.5% p.a from the date of petition till the date of deposit.

5.The appellant/Insurance Company is directed to deposit the modified award amount with interest in the Tribunal within a period of 8 weeks less already deposited from the award.

6.On such deposit, the claimant/1st respondent, being an employee of the printing press aged about 45 years, is permitted to withdraw the modified award amount with inclusive of interest. The Award is passed accordingly.

7. The Tribunal is directed to issue the amount through cheque / RTGS to the party 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. Consequently, connected Miscellaneous Petition is closed, if any.

Sd/-

The Manager,

M/s.The Oriental Insurance Co. Ltd,

Motor T.P. Cell, No.115, 2nd Floor,

Broadway, Chennai - 600 001.

Sd/-

...Counsel for the Appellant

Sd/-

K. Mahesh

Sd/-

...Counsel for the Respondent

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

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 LSA Act 1987 as amended in 1994.

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

To:

The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal, (VI Court, Small Causes 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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सत्यमेव जयते

C.M.A.No.1934 of 2017

LN (CO)
GMY (30/10/2019)

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