

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.Sankaranarayana Pillai.T

Mr.Tanquebar Dorai Vasu

C.M.A.No.228 of 2017

(The Appeal is not listed today, however, with the consent of the parties, it is taken up for settlement. The Appeal is filed against the judgment and decree passed in M.C.O.P.No.2116 of 2011 on the file of the Motor Accident Claims Tribunal, Special Sub Court - 1, Chennai, dated 15.10.2014).

1.Husna

2.Humera (Minor)

3.Wajid (Minor)

Both minors 2 and 3 are represented by their mother Husna and 1st petitioner herein

4.Mohamed yusuf

5.Azeema

...Appellants

Vs.

1.G.Suseela

2.United India Insurance Co. Ltd.,

Potti Sreeramulu Street, Sullurpeta 524 121.

Nellore District, Andhra Pradesh

... Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant, Mr.K.Varadha Kamaraj, is present. The learned counsel for the 2nd respondent Mr.S.Arunkumar is present and officials of Insurance Company are also 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 Tribunal has awarded a sum of Rs.12,49,000/- with interest at 7.5% p.a. from the date of numbering of the petition till the date of deposit as compensation.

2. Aggrieved by the award of the Tribunal, the Appellant has preferred the present appeal. The amount awarded by the Tribunal has already been deposited by the Insurance Company and the same has been withdrawn by the appellant.

3. By way of compromise, the 2nd respondent/insurance company agreed to pay a sum of Rs.6,50,000/- (Rupees six lakh and fifty thousand only) in full quit (inclusive of interest) in addition to the award amount of the Tribunal as compensation and the same is agreed by both sides.

4. The Insurance company is directed to deposit a sum of Rs.6,50,000/- over and above the award of the Tribunal in full quit (inclusive of interest), within a period of six weeks from the date of receipt of a copy of this award, to the credit of M.C.O.P.No.2116 of 2011 before the concerned Tribunal. The appellants are entitled to get share as per the apportionment fixed by the Tribunal. Award is modified accordingly.

5. The Tribunal is directed to transfer the respective shares of the modified award amount to the individual bank accounts of the appellants by way of NEFT/RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

6. The Civil Miscellaneous Appeal is disposed of accordingly. Connected miscellaneous petition, if any, is closed.

1.Husna

2.Humera (Minor)

3.Wajid (Minor)

Both minors 2 and 3 are represented by their mother Husna and 1st petitioner herein

4.Mohamed yusuf

5.Azeema

.. Counsel for Appellants

1.G.Suseela

2.United India Insurance Co. Ltd.,
Potti Sreeramulu Street, Sullurpeta 524 121.
Nellore District, Andhra Pradesh

..Counsel for the 2nd Respondent

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

8.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.



Member

Member

To

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The parties/Counsel concerned

M.NIRMAL KUMAR.J,

klt/sai

Copy to

- 1.The Motors Accidents Claims Tribunal, Special Sub Court – 1,
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.228 of 2017

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09.03.2019