

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of September 2019

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

Presided over by

The Hon'ble Mr. Justice S. VAIDYANATHAN
and

Members: Mr. S.Ramalingam
Mr. M. Nallathambi

C.M.A.No.2298 of 2017

Appeal against the award and decree passed on 17.11.2016 in M.C.O.P.No.1190 of 2012 on the file of the Motor Accidents Claims Tribunal, Chennai, IV Judge Small Causes Court.

M.Sathiskumar
(declared as major as per order in
MP.No.410/15 dated 12.02.2015)

.. Appellant

Vs.

1. Kubendran
(R1 set exparte before the Tribunal)
2. United India Insurance Co. Ltd.,
Sillingi Building, New.No.134,
Old No.40-45, Geams Road,
Chennai - 600 006.

.. Respondents

This case came up for settlement before the National Lok Adalat. **Mrs.Ramya V Rao learned counsel for the Appellant is present and Mr.D.Bhaskaran learned counsel appearing for the second Respondent is present.** Both parties 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

This is a case of injury. The Tribunal has awarded a sum of Rs.2,45,000/- as compensation to the injured claimant with interest at 7.5% per annum. Aggrieved by the Award, the Appellant/claimant has come up with the present Appeal.

2. After negotiation, the award of the Tribunal is modified as follows:

(i) Apart from the compensation of Rs.2,45,000/- awarded by the Tribunal, the claimant has agreed to receive a sum of Rs.1,60,000 (Rupees one lakh sixty thousand only) as over and above in full quit, from the Insurance Company.

(ii) If the Insurance Company has not deposited the entire Award amount already awarded by the Tribunal, it is directed to deposit the same along with the enhanced compensation now awarded, within a period of eight (8) weeks from the date of receipt of a copy of this order, after deducting the amount already deposited.

(iii) The Claimant is entitled to withdraw the entire award amount along with the enhanced compensation now awarded, after adjusting the amount, if any, already withdrawn by making necessary application.

(iv) The Trial Court shall follow the procedures contemplated in the order dated 11.03.2016 passed by a Division Bench of this Court in C.M.A.No.428 of 2016, scrupulously.

3. This Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed, if any.

M.Sathiskumar

Counsel for the Appellant

United India Insurance Co. Ltd.,
Sillingi Building, New.No.134,
Old No.40-45, Geams Road,
Chennai - 600 006.

Counsel for the second Respondent

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.

Judge

Member

Member

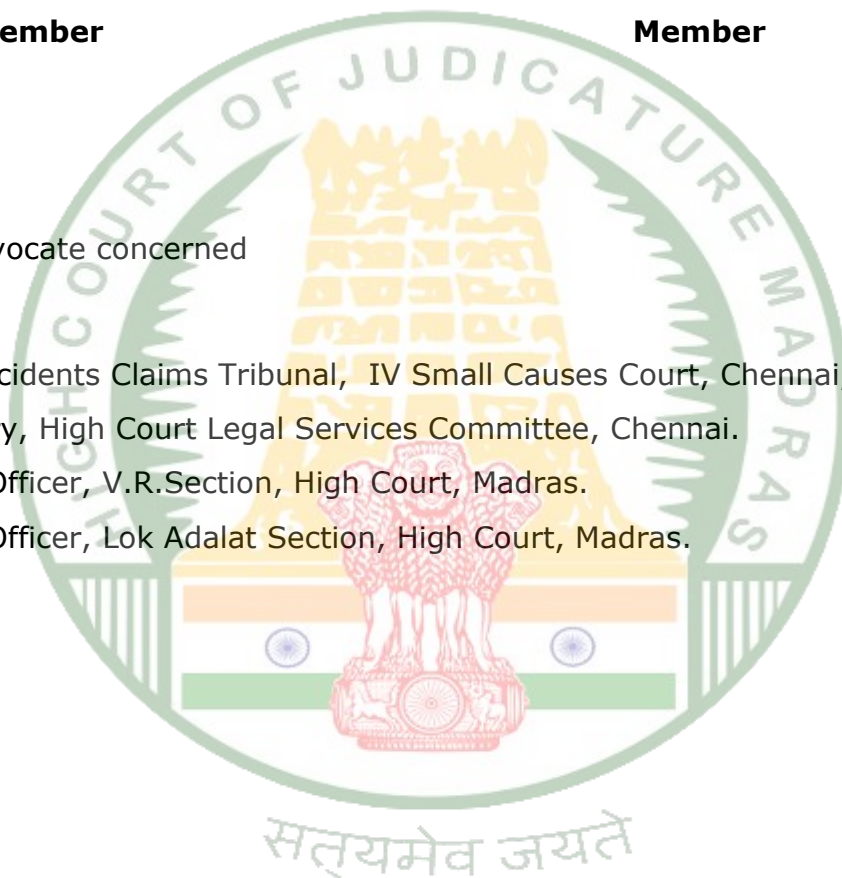
To :

The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, IV 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.

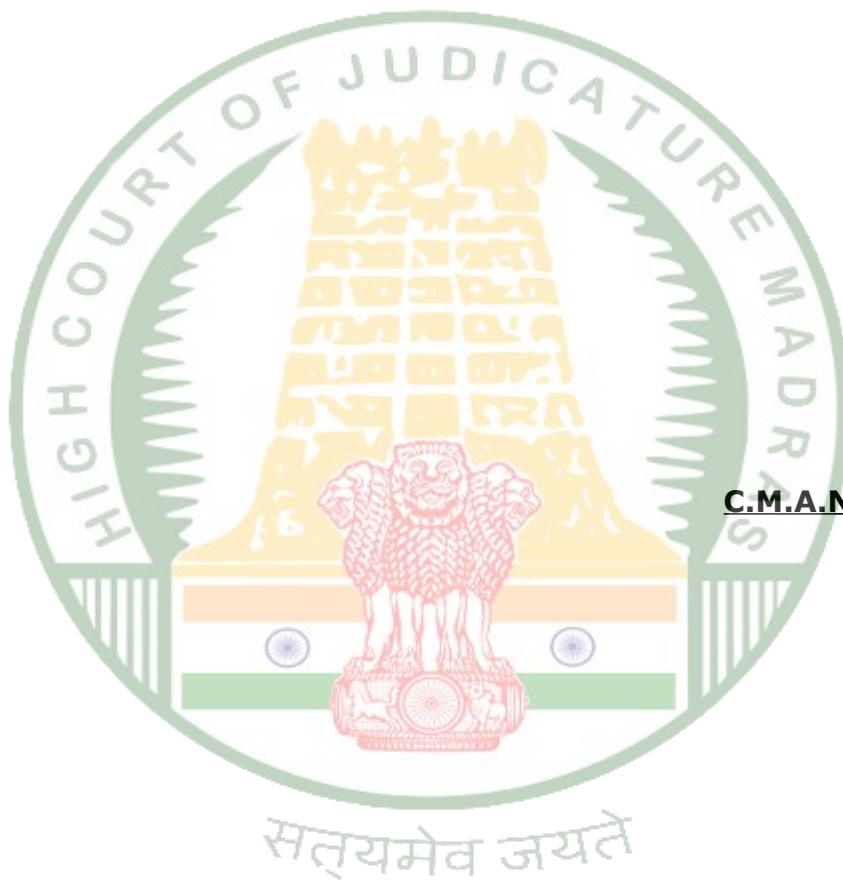
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S.VAIDYANATHAN,J.

(av/rst)



C.M.A.No.2298 of 2017

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14.09.2019