

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Friday, the 15th day of February, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

- 1.Mr.N.Mohandoss
- 2.Mr.K.Thilageswaran

C.M.A.No.3035 of 2017

Appeal against the judgment and decree passed on 11.07.2017 made in M.A.C.T.O.P.No.1200 of 2011 before the Special Sub Judge No.1, Chennai Motor Accident Claims Tribunal, Small Causes Court, Chennai.

B.Arokiaraj .. Appellant/Petitioner

Vs.

1.Dr.P.Ranjit Rao
2.Bajaj Alliance General Insurance Company Limited,
24/25, Prince Towers, College Road,
Chennai - 600 006. .. Respondents/Respondents

This case has been listed today and came up for settlement before the Lok Adalat. Learned counsel for the appellant Mr.K.V.Muthu Visakan learned counsel for the Respondent Mr.M.B.Raghavan and Ms.N.Thilagavathy, Legal Officer, Bajaj Allianz General Insurance Company Limited 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.3035 of 2017 pending on the file of High Court, Madras and preferred against the award passed in M.A.C.T.O.P.No.1200 of 2011 on the file of Special Sub Judge No.1, Chennai has been referred to Lok Adalat for conciliation today.

2. This is a case of Motor Accident causing grievous injury to the appellant. The appellant assisted by counsel Mr.K.V.Muthu Visakan and the 2nd Respondent / Bajaj Alliance General Insurance Company Limited, 24/25, Prince Towers, College Road, Chennai - 600 006 represented by Ms.N.Thilagavathy, Legal Officer are present before Lok Adalat for conciliation today.

3. The Tribunal after considering the matter on merits has awarded a sum of Rs.1,65,000/- (Rupees One Lakh Sixty Five Thousand only) along with interest at 7.5% per annum from the date of petition till the date of deposit of the awarded amount. Admittedly the entire amount has been deposited before the Competent Court.

4. After great deliberation and discussion both the parties have agreed to settle the dispute between them whereby the appellant has agreed to receive a sum of Rs.75,000/- (Rupees Seventy Five Thousand only) as full quit over and above the amount already awarded by the Tribunal and the above said Bajaj Alliance General Insurance Company Limited has also agreed for the said compromise.

5. The Insurance Company has agreed to deposit the amount of Rs.75,000/- within four weeks from the date of receipt of a copy of this order.

6. In view of the compromise arrived at between both the parties, the Lok Adalat here by declare and decree that the 2nd Respondent / Insurance Company shall pay a sum of Rs.75,000/- as full quit to the appellant / petitioner over and above the amount awarded by the Tribunal and deposited by the Insurance Company. The respondent / Insurance company is directed to deposit the above said amount within four weeks from the date of receipt of copy of this order. The appellant is permitted to withdraw the said amount without filing any formal petition. No order as to costs. Award is passed accordingly.

7. The Tribunal is directed to issue the amount through cheque / RTGS to the parties 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.

Sd/-
B.Arokiaraj

Sd/-
Counsel for the Appellant

Sd/-
Bajaj Alliance General Insurance Company Limited,
24/25, Prince Towers, College Road,
Chennai - 600 006.

Sd/-
Counsel for 2nd 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/-
Member

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

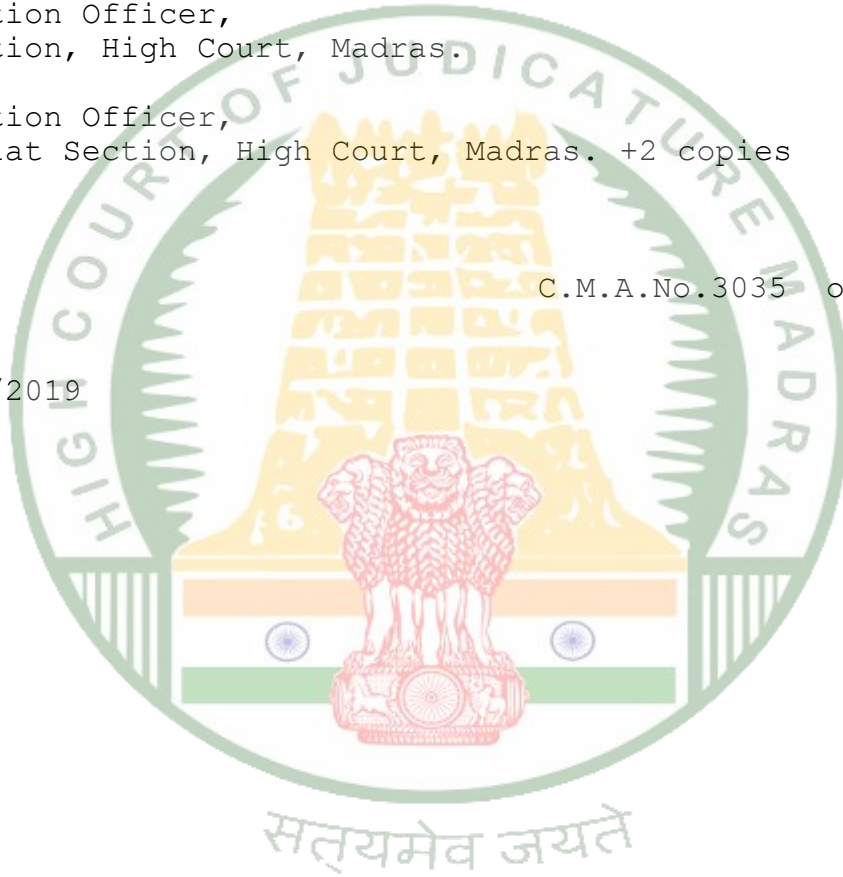
To: The parties/Advocate concerned

Copy to:

1. The Special Sub Court, No.1, Chennai,
Motor Accident Claims Tribunal,
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. +2 copies

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