

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 9th March 2019

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Honourable Mr. JUSTICE M.DHANDAPANI
and

Members:

- 1.Mr.N.Sivathanu
- 2.Mr.S.Arokiamaniraj

C.M.A.No.426 of 2017

(Appeal against the Judgment and decree passed on
01.07.2016 in M.C.O.P.No.5684 of 2011 on the file of the II Special
Judge, Small Causes Court, Chennai/ Motor Accident claims Tribunal.)

Reliance General Insurance Company Ltd
Chennai -6

... Appellant

/vs/

1. Anthony Balan
2. Sathyamoorthy

... Respondents

With the consent of both the parties, the case is taken up
for settlement before the National Lok Adalat. Both the parties are
present. Mr.S.Arunkumar learned counsel for appellant is present and
Mr.A. Sekar, learned counsel for the 1st respondent is 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.4,56,693/- with interest at the rate of 7.5% per annum to the claimants and directed the appellant herein to deposit the award amount within a period of two months from the date of the award. Challenging the said award, the appellant/Insurance Company has preferred the present appeal.

2. Both the parties are present before us. The appellant Insurance company has already deposited a sum of Rs.3,27,720/-. The appellant Insurance company has agreed to settle this appeal for a further sum of Rs.28,000/- in full quit, in favour of the first respondent/claimant, in addition to the amount already deposited.

3. The respondent/claimant is permitted to withdraw the entire award amount, without filing any formal petition. Award is modified accordingly.

4. The Tribunal is directed to transfer the above said award amount to the Bank account of the respondent/ claimant by way of NEFT/ RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

5.The Civil Miscellaneous Appeal is disposed of accordingly. No Costs. Consequently, connected Miscellaneous Petition, if any, is closed.

Reliance General Insurance Company Ltd
Chennai-6

Counsel for the appellant

Anthony Balan

Counsel for the respondent

This National 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.

Judge

Member

Member

सत्यमेव जयते

To: The parties/Advocate concerned

Copy to:

- 1.II Special Judge, Small Causes Court, Chennai/ Motor Accident claims Tribunal
- 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

M. DHANDAPANI,J.

Vrn/at



C.M.A.No.426 of 2017

WEB COPY

09.03.2019