

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

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE C. SARAIVANAN
and

Members

Mrs.Revathi G.Mohan
Mr.M.Sambasivam

C.M.A.No.909 of 2017

[Appeal against the judgment and decree passed on 11.03.2014 in M.A.C.T.O.P.No.2055/2009 on the file of the Motor Accidents Claims Tribunal) Special Sub Judge II, Chennai)

E.Ganesh Kumar

... Appellant

vs.

1. R.Usha Rani
2. The Oriental Insurance Assurance Co., Ltd.,
II Floor, S.V.Complex,
No.179, Eswaran Kovil Street,
Pondicherry

(1st respondent remained exparte before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the appellant M/s.V.Velu and learned counsel for the 2nd respondent / Insurance Company, M/s. Elveera Ravindran 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

annum from the date of petition till the date of deposit. It is represented by the learned counsel for the second respondent that the entire amount has already been deposited before the Tribunal and the same has been withdrawn by the appellant.

2. Not satisfied with the award of the Tribunal, the claimant / appellant has preferred the present appeal for enhancement. Now, both the parties have agreed to settle the dispute on payment of Rs.2,40,000/- (Rupees Two lakhs and forty thousand only) in full quit over and above the amount already awarded by the Tribunal.

3. The 2nd respondent/Insurance Company is directed to deposit the enhanced award amount of Rs.2,40,000/- (Rupees Two lakhs and forty thousand only) in full quit, within a period of six weeks from the date of receipt of a copy of this order, failing which, it shall be paid with interest at the rate of 7.5% per annum from this date till the date of deposit. On such deposit, the claimant / appellant is permitted to withdraw the enhanced award amount without filing any formal petition. The Award is passed accordingly.

4. The Tribunal is directed to issue the cheque 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.

E.Ganesh Kumar

Counsel for the Appellant

No.179, Eswaran Kovil Street,
Pondicherry.

Counsel for the 2nd respondent

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

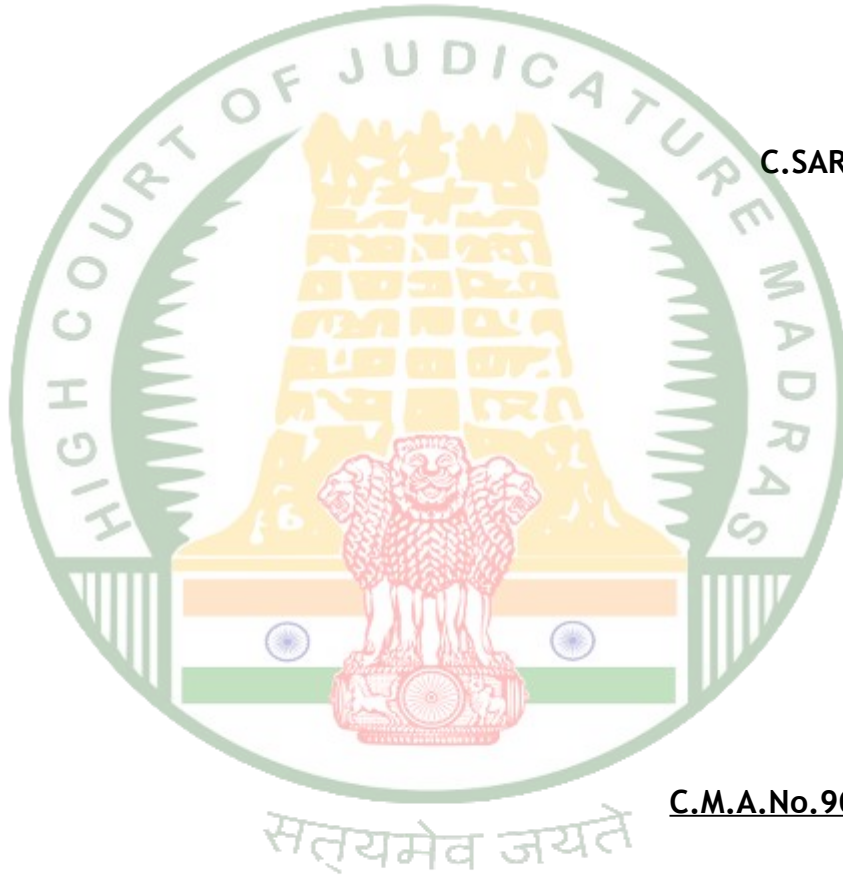
The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.



To
The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal
(Special Sub Judge II)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.



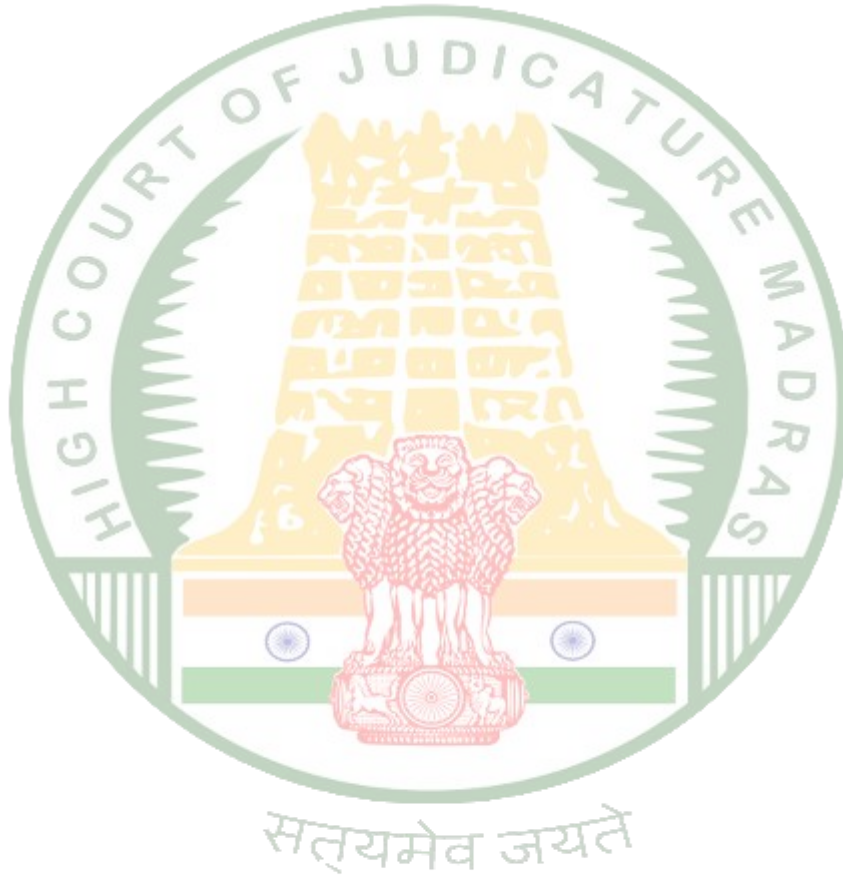
C.SARAVANAN,J.

dua/kkd

C.M.A.No.909 of 2017

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14.12.2019



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