

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th day of July, 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

Mr.M.Sambasivam (District Judge Retd.)

Mr.A.Kothandaraman.

C.M.A.No.2692 of 2018

(This Civil Miscellaneous Appeal is filed under Section 173 of the Motor Vehicles Act, 1989, to set aside the Judgment and Decree dated 21.11.2017 in M.C.O.P.No.195 of 2013 on the file of Motor Accidents Claims Tribunal, (Sub Judge), at Vaniyambadi.

The Manager,
HUB Illrd Party Claims
United India Insurance
Katpadi Road, Vellore

... Appellant

Vs.

1.Deiva

2.M.Vivek Prasad

(2nd respondent set exparte before the Tribunal)

...Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr. P.Sankaranarayanan, learned counsel appearing for the appellant and Mr.M.K.Parandhaman, learned counsel appearing for the first

respondent are present.

TERMS OF SETTLEMENT

The appeal in C.M.A. No. 2962 of 2018 pending on the file of High Court, Madras and preferred against the award passed in M.C.O.P. No. 195 of 2013 on the file of Motor Accident Claims Tribunal, Sub Judge, Vaniyambadi has been referred to the Lok Adalat for conciliation today.

2.The appellant represented by the counsel and the first respondent represented by the counsel are present before the Lok Adalat for conciliation today. This is a case of fatal accident. The Tribunal has awarded a sum of Rs. 22,10,000/- (Rupees twenty two lakhs and ten thousand only) with interest at 6% per annum from the date of petition till the date of deposit. After great deliberation and discussion, both the parties have agreed to compromise the disputed claim at Rs.16,00,000/-(Rupees sixteen lakhs only) with interest at 6 % per annum from the date of the petition till the date of deposit. Admittedly, a portion of the amount has been deposited before the Tribunal. The appellant/insurance company has agreed to deposit the balance amount within a period of six weeks from the date of receipt of a copy of this award.

3.In view of the compromise agreed between the parties, the Lok Adalat

hereby declare and decree that the appellant shall pay a sum of Rs.16,00,000/- (Rupees Sixteen Lakhs only) with interest at 6% per annum from the date of filing of the petition till the date of deposit, less the amount already deposited by the appellant/insurance company, who is the second respondent before the Tribunal. The balance amount shall be deposited within a period of six weeks from the date of receipt of a copy of this award. On such deposit of the balance amount, the first respondent, who is the petitioner, is permitted to withdraw the entire amount without filing any formal application. No order as to costs. Award is passed, accordingly. Consequently, connected C.M.P.No.20315 of 2019 is closed.

The Manager,
HUB Illrd Party Claims
United India Insurance
Katpadi Road, Vellore

Counsel for the Appellant

Deiva

M.Vivek Prasad
(2nd respondent set exparte before the Tribunal) Counsel for the Respondents

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 the LSA Act 1987 as amended in 1994.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, (Sub Judge), at Vaniyambadi.
2. The Manager, HUB IIIrd Party Claims, United India Insurance, Katpadi Road, Vellore.
3. The Secretary, High Court Legal Services Committee, Chennai.
4. The Section Officer, V.R. Section, High Court, Madras.
5. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

ay/ssm

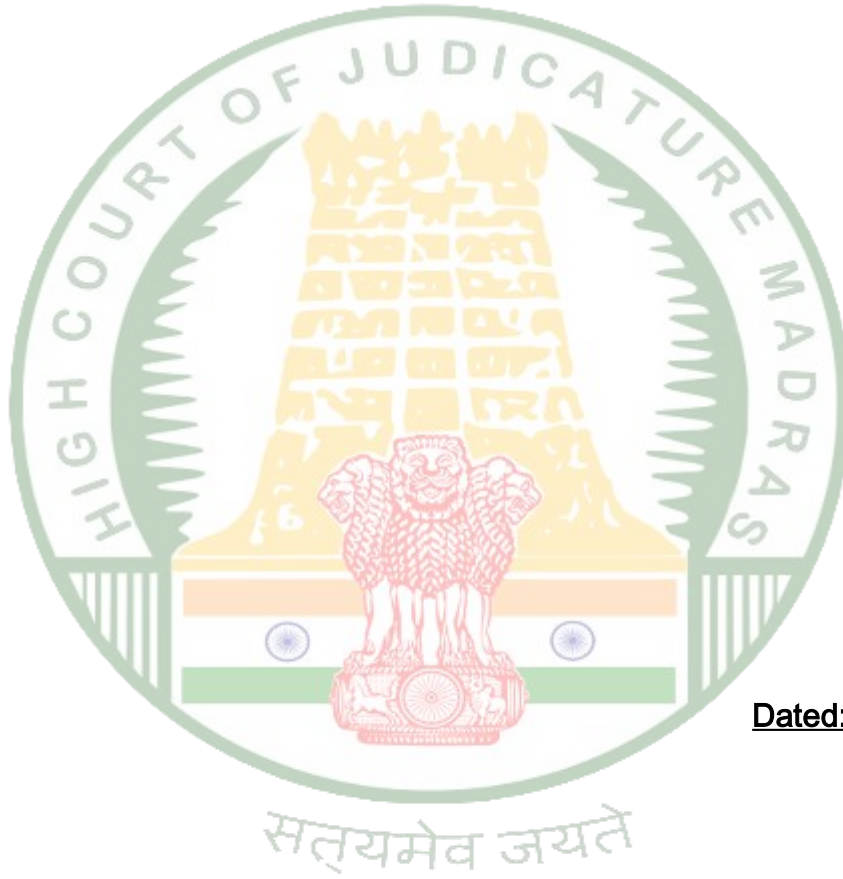
P.THANGAVEL, J.(Retd.)

ay/ssm

सत्यमेव जयते

WEB COPY

C.M.A.No.2692 of 2018
and
C.M.P.No.20315 of 2018



Dated:13.07.2019

WEB COPY