

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th 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 V.PARTHIBAN

Members:-

- (1) Mr.Ravindra Bose, District Judge (Retd.)
(2) Ms.S.S.Jothivani

CMA.No.3118 of 2018

&

CMP.No.23639 of 2018

(Civil Miscellaneous Appeal against the award and decree passed, dated 15.12.2017 in **MCOP.No.3921 of 2013**, on the file of the Motor Accidents Claims Tribunal, (II Judge, Court of Small Causes), Chennai.

National Insurance Co.Ltd.,
Motor Third Party Legal Department No.751, III Floor,
Anna Salai, Chennai - 600 002.

Appellant

Vs.

- 1.B.Lakshmi
2.B.Lokesh Balaji (Minor)
Rep by his Mother B.Lakshmi
3.V.Vasanth
4.R.Vellaisamy
5.K.Neelakandan (remained ex-parte)

Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.M.Krishnamoorthy**, the learned counsel for the Appellant / Corporation and **Mr.N.Manokaran**, the learned counsel for the respondent / claimant is present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-

TERMS OF SETTLEMENT

1. This Appeal has been filed by the **Appellant/ National Insurance Company Limited** against the impugned award of the Tribunal.
2. The original award amount is Rs.58,41,000/- with 9% interest which has been modified as 49,70,000/- with 7.5% interest from the date of claim petition till the date of deposit and the amount of compensation shall be apportioned as under;

The first petitioner being wife of the deceased	: Rs.24,70,000/-
Minor Son	: Rs.15,00,000/-
deceased petitioner's mother	: Rs.5,00,000/-
deceased petitioner's father	: Rs.5,00,000/-

3. The minor share shall be invested in any Nationalized Bank and the quarterly interest shall accrue to the account of the first petitioner/Mother till he attains majority.
4. This arrangement shall be in force till he attain majority.
5. As regards the other claimants are concerned except the minor claimant, they are permitted to withdraw the amount deposited along with interest.
6. The insurance Company is directed to deposit the amount of settlement within a period of eight weeks from the date of receipt of copy of this Order.
7. The Tribunal is directed to issue the cheques 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. The connected CMP is closed.

National Insurance Co.Ltd.,
Motor Third Party Legal Department No.751, III Floor,
Anna Salai, Chennai - 600 002.

Counsel for the Appellant

- 1.B.Lakshmi
- 2.B.Lokesh Balaji (Minor)
Rep by his Mother B.Lakshmi
- 3.V.Vasanth
- 4.R.Vellaisamy
- 5.K.Neelakandan (remained ex-parte)

Counsel for the Respondents

This National 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/Advocates concerned.

Copy to:

- 1.Motor Accidents Claims Tribunal, (II Judge, Court of Small Causes), 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

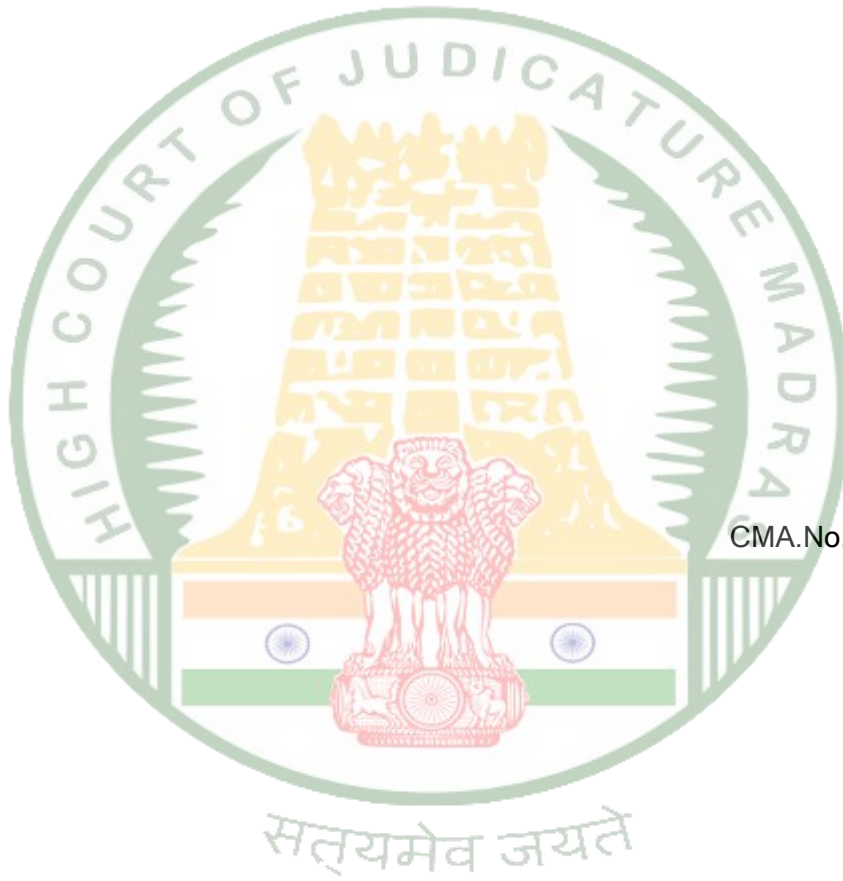
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V.PARTHIBAN, J.

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CMA.No.3118 of 2018

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14.09.2019