

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 8th day of February 2020

NATIONAL LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.GOVINDARAJ
and

Members

G.Appasamy, District Judge (Retd.)
S.Jayakumari

C.M.A.No.276 of 2016

(Appeal against the judgment and decree dated 09.07.2015 made in
M.C.O.P.No.387 of 2013 on the file of the Motor Accidents Claims Tribunal
(Sub Court) Hosur.

The Branch Manager
Bharati AXA General Insurance Co. Ltd.,
Pride Quadra, No.30, 3rd Floor,
Bellary Road, Hebbal,
Bangalore - 560 024.

Appellant

Vs

1.Gunasekar
2.Laxmanan

Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.S.Arunkumar, learned counsel for the Appellant and Mr.Mukund R.Pandiyam, learned counsel for the respondents are present. After mutual discussion, both parties have arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.8,44,000/- with interest at the rate of 7.5% per annum, from the date of petition, till the date of deposit. Challenging the quantum of compensation, the Insurance Company has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to forego a sum of Rs.2,00,000/- from and out of the award passed by the Tribunal.

3. It is represented that the Insurance Company has already deposited the entire award amount with interest and the first respondent / claimant had withdrawn 50% of the amount deposited by the insurance company. Therefore, the insurance company is entitled to refund of Rs.2,00,000/- in the balance amount lying in the deposit of the bank and the remaining amount shall be withdrawn by the first respondent / claimant.

4. The **Civil Miscellaneous Appeal is disposed of accordingly.**

The Branch Manager
Bharati AXA General Insurance Co. Ltd.,
Pride Quadra, No.30, 3rd Floor,
Bellary Road, Hebbal,
Bangalore - 560 024.

Counsel for the appellant

1.Gunasekar
2.Laxmanan

Counsel for the respondents

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

Judge

Member

Member

To: The parties/Advocate concerned

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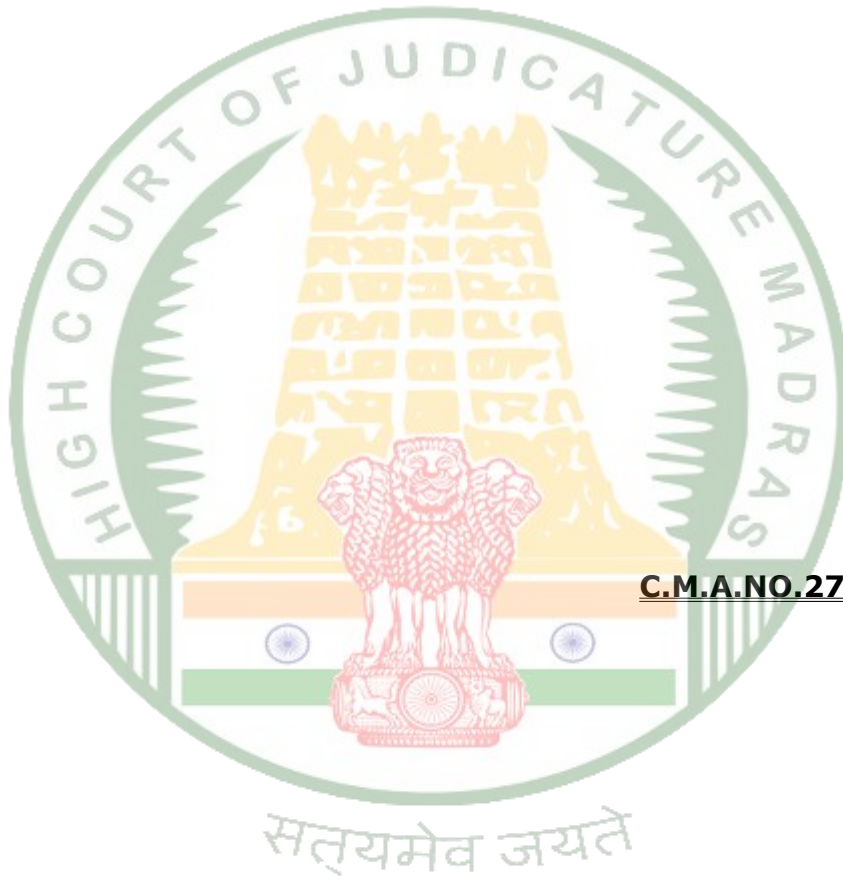
1. The Motor Accident Claims Tribunal, Subordinate Court, Hosur.
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section, High Court, Madras. + 2 copies



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M. GOVINDARAJ, J.

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08.02.2020