

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Sunday, 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 HONOURABLE MR.JUSTICE M.GOVINDARAJ

and

Members:

Mr.G.Appasamy- District Judge (Retd)
Ms.S.Jayakumari

C.M.A.NO.3205 OF 2019

(Appeal against the judgment and decree passed on 19.02.2019 made in M.C.O.P.No.266 of 2016 on the file of Motor Accident Claims Tribunal, Additinal District Judge, Hosur.)

The Manager Claims
Bharti Axa General Insurance Company Ltd
Survey No.28, Ferns icon
Doddanakkudundi Village
K.R.Puram Hobli
C/o the Branch Manager
Bharti Axa General Insurance Company Ltd
1st floor, No.11
Brindhavan Road
Fair Lands, Salem

.. Appellant

/versus/

1.Byamma

2.Prabhakaran

3.Hamsa

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This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.S.Arunkumar, learned counsel for appellant/Insurance Company and Mr.Mukund R.Pandiyam learned counsel for the respondents/claimants 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

The Tribunal has awarded a sum of Rs.10,78,048/- with interest at the rate of 7.5% per annum from the date of petition, till the date of deposit and costs as compensation. Not being satisfied with the award passed by the tribunal, the appellant/insurance company has preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to reduce the award of the Tribunal to a sum of Rs.9,75,000/- **in full quit** of the award passed by the tribunal.

3. The Appellant /Insurance Company is directed to deposit the entire amount arrived at today in full quit, passed by the tribunal, less the amount already deposited, if any, within a period of six weeks, from the date of receipt of a copy of this order. On such deposit being made, the respondents 1 to 3/claimants are permitted to withdraw their proportions as opported by the Tribunal. Award is passed accordingly.

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

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Bharti Axa General Insurance Company Ltd
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Fair Lands, Salem

Counsel for the Appellant

1.Byamma

2.Prabhakaran

3.Hamsa

Counsel for the Respondents

This 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.



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M.GOVINDARAJ, J.

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To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal, Additional District Judge, 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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08.02.2020