

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

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

Mr.G.Appasamy – District Judge (Retd)

Ms.S.Jayakumari

C.M.A.NO.1028 of 2014

(Appeal against the judgment and decree passed on 22.01.2010 made in M.C.O.P.No.4328 of 2000 on the file of the Motor Accident Claims Tribunal, Additional District Judge, Fast Track Court No.1, Chennai.

K.S.Mohan

... Appellant

Vs

1.K.Moorthy

2. The New India Assurance Company
No.46, II Line Beach, Moore Street,
Chennai – 600 001

... Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Ms.Ramya V.Rao, learned counsel for the Appellant and Mr.J.Chandran, learned counsel for the respondents 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.2,60,190/-, with interest at 7.5% per annum, from the date of petition, till the date of deposit. Aggrieved by the award of the Tribunal, the appellant / clamiant has preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to enhance the award of the Tribunal by a sum of Rs.4,00,000/- (Rupees Four Lakhs Only) in full quit over and above the award amount as compensation.

3. The 2ⁿ respondent /Insurance Company is directed to deposit the amount of compensation now arrived at today, less the amount already deposited, if any, within a period of eight weeks from the date of receipt of a copy of this order, to the credit of M.C.O.P.No.4328 of 2000, on the file of the Motor Accident Claims Tribunal, Additional District Judge, Fast Track Court No.1, Chennai. On such deposit being made, the appellant / claimant is permitted to withdraw the amount on filing proper applications.

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

5. The Civil Miscellaneous Appeal is disposed of accordingly. No costs. Consequently, connected civil miscellaneous petition is closed.

K.S.Mohan

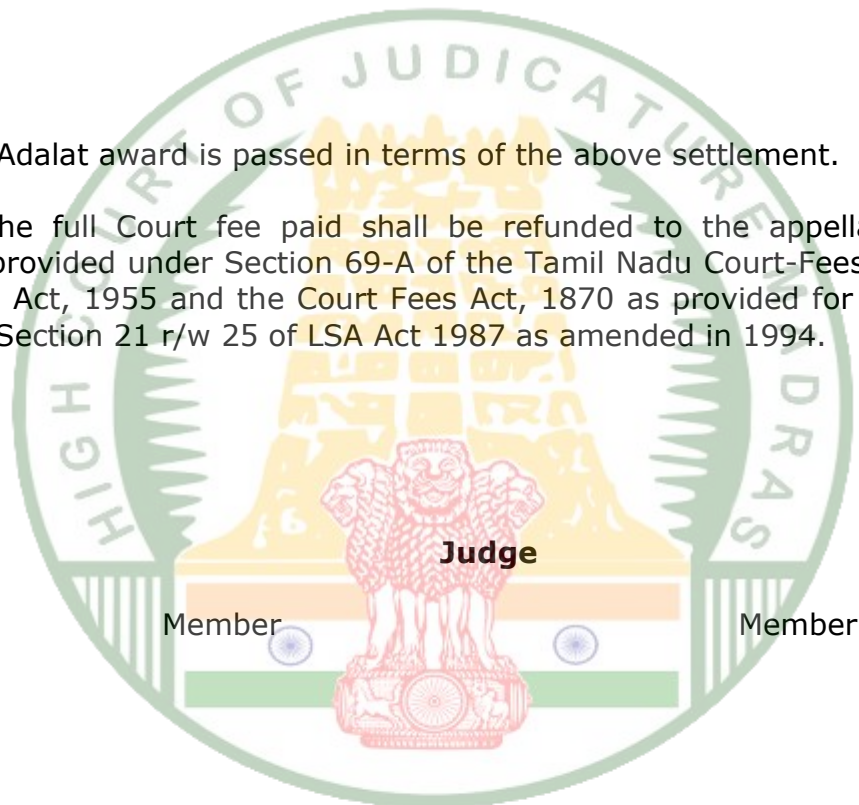
Counsel for the Appellant

The New India Assurance Company
No.46, II Line Beach, Moore Street,
Chennai – 600 001.

Counsel for the respondent

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.



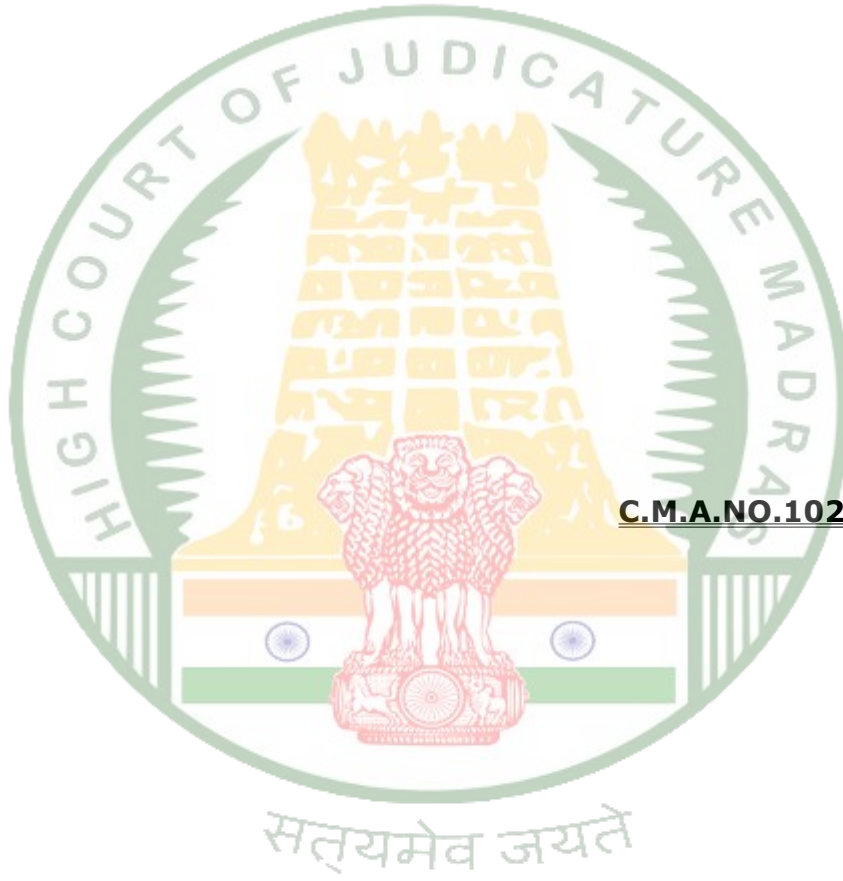
To: The parties/Advocate concerned

Copy to:

1. The Motor Accident Claims Tribunal,
Additional District Judge, Fast Track Court No.1, 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

M. GOVINDARAJ, J.

bri



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