

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. 383 OF 2014

(Appeal against the judgment and decree passed on 17.07.2013 made in M.A.C.T.O.P.No.438 of 2011 on the file of Motor Accident Claims Tribunal, IV Additional District Judge, Bhavani.)

Junaida Begam

... Appellant

/versus/

1.K.Shanmugam

2.P.Sundaram

3.Bajaj Allianz General Insurance Co. Ltd

People's park, 3rd floor

Opp District Court

Govt. Arts College Road

Coimbatore-18

... Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.S.Thambi, learned counsel for appellant/claimant and Mrs.Sreevidya, learned counsel for the 3rd respondent/Insurance Company 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.1,46,000/- 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/claimant have preferred the present appeal.

2. After due deliberation and consultation, both the parties agreed to enhance the award of the Tribunal to a sum of Rs.2,40,000/- **in full quit over and above** the award passed by the tribunal.

3. The 3rd respondent/Insurance Company is directed to deposit the entire amount arrived at today in full quit, over and above the award passed by the tribunal, less the amount already deposited, if any, within a period of four weeks, from the date of receipt of a copy of this order. On such deposit being made, the appellant / claimant is entitled to withdraw the same. Award is passed accordingly.

4. The Tribunal is directed to issue the cheque to the party concerned, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition. Accordingly, the Civil Miscellaneous Appeal is disposed of. No costs.

Junaida Begam

Counsel for the Appellant

3.Bajaj Allianz General Insurance Co. Ltd
People's park, 3rd floor
Opp District Court
Govt. Arts College Road
Coimbatore-18

Counsel for the 3rd 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.

Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal, IV Additional District Court, Bhavani.
- 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



WEB COPY

M.GOVINDARAJ, J.

kpr



C.M.A.NO.383 OF 2014

WEB COPY

08.02.2020