

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat - I organised by the High Court Legal Services committee

Friday, the 23rd day of April 2021

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE R.KARUPPIAH (Retd)

Member

Mr.K.Ramakrishnan

C.M.A.No.1302 of 2020

(Appeal against the judgment and decree dated 31.07.2019 made in M.C.O.P.No.320 of 2014 on the file of the Motor Accidents Claims Tribunal, Additional Sub Court, Virudhachalam)

The General Manager,
M/s Bajaj Allianz General Insurance Company Limited
'Prince Towers',
No.25-26, College Road, Nungambakkam,
Chennai - 600 006.

... Appellant/II Respondent

WEB COPY
Vs.

1. Sathiya Dass
2. Chandira
3. Stephen Duraikannu
4. Joyce Rubi
5. Jothi Selvamuthukumar - ex-parte before the Tribunal
6. M.Usha

7. The Branch Manager,
M/s Oriental Insurance Company Limited,
No.50A, Pallivasal Street,
Perambalur - 621 212.
(Respondents 6 & 7 Formal Parties) ... Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. Mr.Sivaraj, Counsel for the appellant and Mr.S.Udayakumar, Counsel for the respondents 1 to 4 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.12,80,000/- with interest at 7.5% per annum from the date of petition till the date of deposit and costs as compensation. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to modify the award to a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) in full quit. (inclusive of interest) as compensation.

3. The appellant / Insurance Company is directed to deposit the above said modified award amount, after deducting the amount already deposited if any, within a period of four weeks from the date of receipt of a copy of this order.

4. On such deposit, the respondents 1 and 2 are entitled to withdraw the modified award amount of Rs.6,00,000/- (Rupees Six Lakhs only) each and the respondents 3 and 4 / claimants are entitled to withdraw the modified award amount of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) each without filing any formal petition before the Tribunal. Award is passed accordingly.

5. The Tribunal is directed to transfer the amount through RTGS/NEFT 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 miscellaneous petition is closed if any.

Sd/-

The General Manager,
M/s Bajaj Allianz General
Insurance Company Limited
'Prince Towers',
No.25-26, College Road,
Nungambakkam,
Chennai - 600 006.

Sd/-

Counsel for the Appellant

Sd/-

1. Sathiya Dass

Sd/-

2. Chandira

Sd/-

3. Stephen Duraikannu

Sd/-

4. Joyce Rubi

Sd/-

Counsel for the Respondents 1 to 4

This Lok Adalat award is passed in term 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.

Sd/-

Judge

Sd/-

Member

Sd/-

Assistant Registrar(CS VIII)

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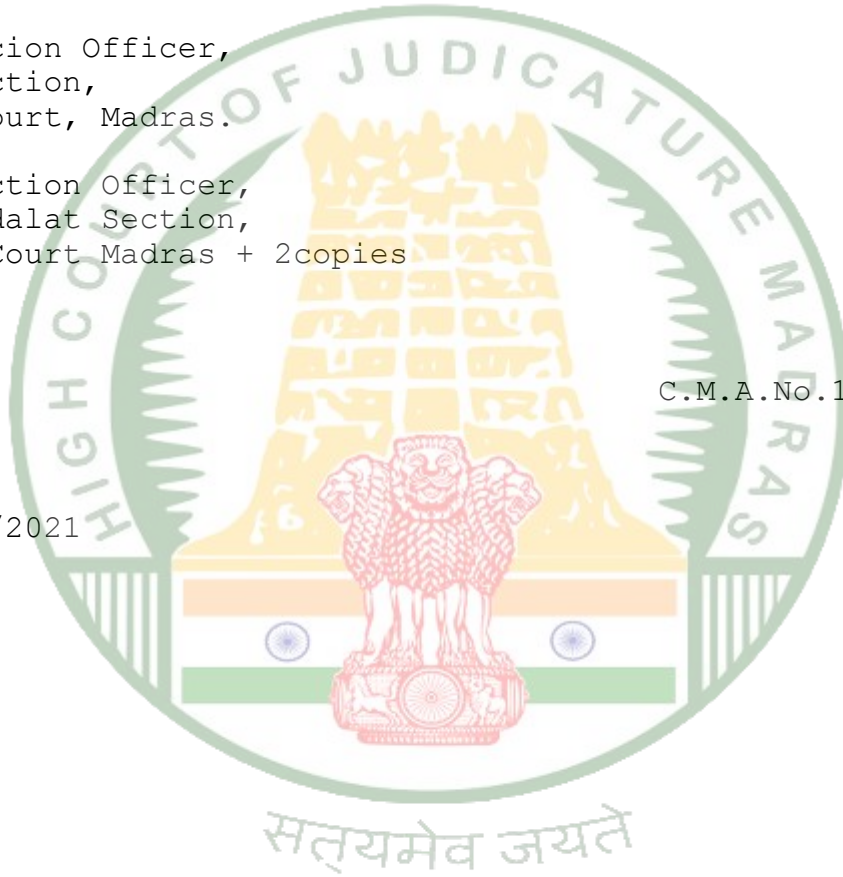
Sub Assistant Registrar

Copy to:

1. The Motor Accidents Claims Tribunal,
Additional Sub Court,
Virudachalam.
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 + 2copies

C.M.A.No.1302 of 2020

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