



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

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Friday, the 8th day of October 2021

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE M.JEYAPPAUL (Retd)

Member

Mr. M.MD.Essath Ali, District Judge, Retd

C.M.A.No.192 of 2018

and

Cross.Objection No.29 of 2019

CMA.No.192 of 2018

Appeal against the decree and judgment dated 27.07.2017 passed in M.C.O.P.No.927 of 2009 on the file of the Motor Accidents Claims Tribunal (in the Court of I Additional District Judge), at Tiruppur.

The Branch Manager,
M/s.Bajaj Allianz General
Insurance Company Limited,
G.e. Plaza, Airport Road,
Yerwada, Pune.

.. Appellant

Vs.

1.Kalimuthu

2.The Partner,
Ms/.Anvil Automation,
I/C, V.N.Industrial Estate,
Bharathi Colony, Peelamedu,
Coimbatore.

.. Respondents

Cross Objection No.29 of 2019

(This Cross Appeal is filed under Order XLI Rule 22 of C.P.C against the judgment and decree dated 27.07.2017 made in MCOP.No.927 of 2009 on the file of the Motor Accident Claims Tribunal, I Additional District Court at Tiruppur.)



Kalimuthu

.. Cross Objector

Vs

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1. The Branch Manager,
M/s. Bajaj Allianz General
Insurance Company Limited,
G.E. Plaza, Airport Road,
Yerwada, Pune.
2. The Partner,
Ms/. Anvil Automatiion,
I/C, V.N. Industrial Estate,
Bharathi Colony, Peelamedu,
Coimbatore.
(2nd respondent remains ex-parte
before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Mr. Michael Visuvasam and Mr. R.V. Sivaraj learned counsel for the Appellant in CMA.No.192 of 2018 and 1st respondent in Cross objector in Cross Objection No.29 of 2019, M/s. Ma.P. Thangavel and Mr. M. Lokesh learned counsel for the first Respondent in CMA.No.192 of 2018 and counsel for the cross objector in Cross Objection No.29 of 2019, and Mr. Mohamed Bilal Ali, Legal Officer, Bajaj Allianz General Insurance Company Limited 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

Both parties submitted before the Lok Adalat that they took steps for settlement of the dispute between the parties and finally they arrived at the settlement. In view thereof, Counsel appearing on both sides submitted that they may be permitted to withdraw the appeal as well as Cross objection.

2. Both the parties have settled the dispute amicably. Considering the submissions made by the counsel on either side, CMA.No.192 of 2018 and Cross Objection No.29 of 2019 are disposed of as withdrawn.

3. It is submitted that 50% of the award amount with interest and cost were already deposited by the Insurance company in terms of the award. Therefore, the Tribunal is directed to transfer the same to the claimant at the earliest. The remaining award amount with interest and cost to be deposited by the Insurance company within a period of three weeks from the date of this order.



Sd/-

The Branch Manager,
M/s.Bajaj Allianz General
Insurance Company Limited,
G.e. Plaza, Airport Road,
Yerwada, Pune.

Sd/-

Counsel for the Appellant in
CMA.No.192 of 2018 /
1st Respondent in Cross Objection
No. 29 of 2019

Sd/-

Counsel for the 1st Respondent in
CMA.No.192 of 2018 and Cross
objection No. 29 of 2019

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 2 r/w 25 of LSA Act 1987 as amended in 1994.

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar(L.A)

//True copy//

Sub Assistant Registrar

drl

To:The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
I Additional District Judge, at Tiruppur.
2. The Secretary,
High Court Legal Services Committee, Chennai.



3. The Section Officer, V.R.Section,
High Court, Madras. +2 Copies

4. The Section Officer, Lok Adalat Section, High Court Madras
+ 2copies

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C.M.A.No.192 of 2018
and
Cross.Objection No.29 of 2019

PA (CO)
GMY (21/10/2021)