

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 10th April , 2021

NATIONAL LOK ADALAT AWARD

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

Presided over by:- The Hon'ble Mr.JUSTICE J.A.K.SAMPATHKUMAR (Retd.,)

Members:- (1) Mr.M.Sambasivam
(2) Mr.Karthik Ranganathan

CMA.No.2088 of 2017

(Civil Miscellaneous Appeal against the award and decree passed, **dated 19.02.2016** made in **MCOP.No.522 of 2013** , on the file of the Motor Accidents Claims Tribunal / Additional District Court, Namakkal).

P.Selvaraj
S/o. Palanisamy

Appellant

Vs.

1. S. Satish Kumar,
S/o. Sukumar
2. M/s. Bajaj Alliance General Insurance
Company Limited,
No.11, (Office No.6-A), Peoples Park,
3rd Floor, Govt. Arts College Road,
Coimbatore-641 018.

Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.M.N.Mohanraj**, the learned counsel for the Appellant and the officer of 2nd respondent Insurance company are present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-

TERMS OF SETTLEMENT

1. When the matter is taken up for hearing today, both the parties are present and they have entered into a Memo of Compromise, which reads as under:

JOINT MEMORANDUM OF COMPROMISE

Both the parties humbly submit as follows:

1. It is hereby stated that M.A.C.T., Namakkal awarded a sum of Rs.2,16,900/- with 7.5% interest in MCOP.No.522 of 2013 and the Insurance company complied the same.

2. Being aggrieved by the quantum of the Award, the claimant preferred appeal before the High Court of Madras in C.M.A.No.2088 of 2017 asking for enhancement.
3. Hence, now both the parties agreed to mutually settle the matter for a one time settlement of Rs.1,50,000/- (Rupees one lakh fifty thousand only) in full quit.

2. The memo of compromise shall form part of the award.
3. Accordingly, the award is passed in terms of the above Memorandum of Compromise.
4. The 2nd respondent Insurance Company is directed to deposit the modified award amount, less the amount if already deposited, within a period of **three weeks** from the date of receipt of the copy of this order.
5. On such deposit, the claimant is permitted to withdraw the same without filing formal application.
6. The Tribunal is directed to issue cheques 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 Petition is disposed of accordingly.

This National Lok Adalat Award is passed in terms of the above settlement. The Court fee paid shall be refunded to the parties in the manner provided under 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/Advocates concerned.

Copy to:

- 1.The Motor Accidents Claims Tribunal/Additional District Court, Namakkal.
- 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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