



C.M.A.No.33 of 2021

\\HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 12th November, 2022

NATIONAL LOK ADALAT AWARD

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

Presided over by:-

The Hon'ble Mr.JUSTICE G.K.ILANTHIRAIYAN

Members:-

- (1) Mr. K.Ramakrishnan, M.A., LL.M., District Judge (Retd.)
- (2) Ms. V.Vijayalakshmi, Advocate

CMA.No.33 of 2021 & CMP.No.253 of 2021

(Civil Miscellaneous Appeal against the award and decree passed, **dated** 18.03.2020 in **MCOP.No.46 of 2014**, on the file of the Motor Accidents Claims Tribunal(In the court of Subordinate Judge), at Vaniyambadi.

M/s.Bajaj Allianz Insurance Company Limited,
Rep. by its Branch Manager,
GDS Complex,
No.1, New Katpadi Road, Vellore

Appellant

Vs.

- 1.A.Asogan
- 2.Karpaga Valli Jayakumar

Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.J.Michael Visuvasam**, the learned counsel for the Appellant/Insurance company and Mr.M.Ramsundar, the learned counsel for 1st respondent, Mr.T.Saikrishnan, the learned counsel for 2nd respondent. 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. This Appeal has been filed by the **Appellant/ Insurance Company** against the impugned award **dated** 18.03.2020 in **MCOP.No.46 of 2014**, on the file of the Motor Accidents Claims Tribunal(In the court of Subordinate Judge), at Vaniyambadi.

2. The Quantum of Compensation awarded by the Tribunal is **Rs.19,39,000/-** with interest at 6 % per annum from the date of petition till the date of deposit of compensation. Being dissatisfied with the award amount, the **Appellant/ Insurance Company** has filed the present appeal.

3. After due deliberation and consultation, both the parties have **agreed** to modify the award to a sum of **Rs.20,50,000/-(Rupees Twenty Lakhs Fifty Thousand only)** in full quit.

4. The Appellant/Insurance Company is directed to deposit the above said modified award amount of Rs.20,50,000/-(full quit), after giving credit to 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, the first respondent is permitted to withdraw the amount.



C.M.A.No.33 of 2021

G.K.ILANTHIRAIYAN, J

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5. The Tribunal is directed to disburse the award amount to the claimants' Savings Bank Account, through RTGS/NEFT, on proper identification of the account of the claimants in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected miscellaneous petition is closed.

M/s.Bajaj Allianz Insurance Company Limited,
Rep. by its Branch Manager,
GDS Complex,
No.1, New Katpadi Road, Vellore

Counsel for the Appellants

1.A.Asokan

2.Karpaga Valli Jayakumar

Counsel for the Respondents

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(In the court of Subordinate Judge), at Vaniyambadi.
- 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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CMA.No.33 of 2021

12.11.2022