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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 12th day of November 2022

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE SUNDER MOHAN

and

Members

Mr.N.Balasubramanian, District Judge (Retd.)

Mr.K.Shivakumar

C.M.A.No.1651 of 2021

(Appeal against the judgment and decree passed on 14.11.2019 made in M.C.O.P.No.7330 of 2015 on the file of the Motor Accidents Claims Tribunal/ Special Sub Court No.2, Court of Small Causes, Chennai)

M/s.Reliance General Insurance Co. Ltd.,
Reliance Towers, Sashtri Bhavan Road,
Nungambakkam, Chennai 34.

.. Appellant

Vs.

1.Selvi
2.Minor. Manoj
3.Minor. Deepak (Minors represented by their NG Mother Selvi)
4.Santhi
5.R.Ramesh (Remained exparte)
6.Rajkumar

.. Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant Ms.Bhuvanasundari and the learned counsel for respondents 1 to 4, Mr.B.Dinesh Babu, for M/s.Malar & Terry are present. No appearance for 5th and 6th respondents. 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 the parties and their respective counsel are present.

<https://www.mhc.tn.gov.in/judis> 2 The Tribunal has awarded a sum of Rs.29,10,000/-(Rupees twenty



nine lakh and ten thousand only) with interest at 7.5% p.a. from the date of numbering of the claim petition till the date of deposit as compensation.

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3. Aggrieved against the award, the appellant/Insurance Company has preferred the present appeal.

4. The parties now arrived at a settlement, by which the Insurance Company has agreed to deposit a sum of Rs.33,00,000/- (Rupees thirty three lakh only) in full quit (without interest). The Appellant/Insurance Company had already deposited the entire award amount awarded by the Tribunal, with interest and costs. Now, the Appellant is permitted to withdraw the excess amount, if any, lying before the Tribunal, excluding Rs.33,00,000/-. The claimants/Respondents 1 to 4 are permitted to withdraw the Award amount as per the following apportionment:

1.1 st Claimant/Wife	:Rs.14,00,000/-
2.2 nd Claimant/Minor Son	:Rs.8,00,000/-
3.3 rd Claimant/Minor Son	:Rs.8,00,000/-
4.4 th Claimant/Mother	:Rs.3,00,000/-

The amount awarded towards the Minor Claimants viz., 2nd and 3rd Respondents shall be deposited in a nationalised bank in a fixed deposit, till they attain majority. The other claimants viz., 1st and 4th Respondents are permitted to withdraw their respective award amount. The Award is passed accordingly.

5. The Tribunal is directed to follow the usual mode of payment on proper identification of the party concerned in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

M/s.Reliance General Insurance Co. Ltd.,
Reliance Towers, Sashtri Bhavan Road,
Nungambakkam, Chennai 34.

Counsel for the appellant



2.Minor. Manoj

3.Minor. Deepak

Minors represented by their NG Mother Selvi

4.Santhi

Counsel for respondents 1 to 4

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/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal/Special Sub Court No.2,
Court of Small Causes, Chennai
- 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.



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SUNDER MOHAN, J.

sri/sai

C.M.A.No.1651 of 2021

12.11.2022