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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 04th day of March 2022

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
The Hon'ble Mr.JUSTICE M.THANIKACHALAM (Retd.)
and

Member

Mr.Sambasivam, District Judge (Retd)

C.M.A.No.3680 of 2021

(Appeal against the judgment and decree dated 29.11.2019 made in
M.C.O.P.No.771 of 2017 on the file of the Motor Accidents Claims Tribunal, IV
Judge Court of Small Causes, Chennai)

S.Ashok Kumar

.. Appellant

Vs.

1. K.S.Krishnakumar – EX-parte before the Tribunal

2. Bajaj Allianz General Insurance Co.Ltd,
No.497/498, Issana Kattima Building,
5th Floor, P.H.Road,
Arumbakkam,
Chennai – 106.

.. Respondents

This case came up for settlement before the Lok Adalat. Both parties are present. Mr.Ramya V.Rao, learned counsel for the appellant and Mr.M.B.Raghavan, learned counsel for the second respondent 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**

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The appellant / claimant having suffered injuries in a road accident and for the damage sustained by him he approached the trial forum claiming compensation of Rs.12,00,000/-, which ended in an award of Rs.3,66,100/-.

2. Aggrieved by the less compensation as claimed by the appellant, he preferred an appeal for enhancement of the same, restricting to Rs.2,00,000/-. When the matter is pending, for hearing the parties that it would be a better to settle the case instead of dragging it for ever without knowing when the case will come to end. In this view, they have sat together, discussed, arrived at a settlement for the additional award of Rs.1,70,000/- in full quit. On enquiry the claimant, who is present, and his advocates also accepted the terms settlement. Memo is filed and the same is recorded.

3. In view of the above settlement reached, the award of the lower court is modified awarding an additional award of Rs.1,70,000/-, in full quit in addition to the amount already granted by the lower forum.

4. The Insurance Company is directed to deposit the additional award amount of Rs.1,70,000/- within a period of three weeks from the date of receipt of a copy of this order.

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.

S.Ashok Kumar

Counsel for the Appellant

Bajaj Allianz General Insurance Co.Ltd,
No.497/498, Issana Kattima Building,
5th Floor, P.H.Road,
Arumbakkam,
Chennai – 106.

Counsel for the 2nd Respondent

This Lok Adalat award is passed in terms of the above settlement.

The Court fee paid shall be refunded to the appellant 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

To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, IV Judge 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.+2 copies



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M.THANIKACHALAM, J.(Retd)

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C.M.A.No.3680 of 2021

04.03.2021