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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 9th day of December 2022

LOK ADALAT AWARD

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

Member
Mr.S.Manoharan, District Judge (Retd)

C.M.A.No.2342 of 2022
and CMP.No.16282 of 2022

This Civil Miscellaneous Appeal has been filed against the Award in
M.C.O.P. No.2731 of 2015 dated 04.03.2022 on the file of the Motor
Accidents Claims Tribunal, Principal Sub Court, Cuddalore.

The New India Assurance Company Limited,
Puducherry.

... Appellant

Vs.

1. Deenadayalan
2. Dhakshnamurthy
(Respondent 2 remained ex-parte
before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the
parties are present. Mr.K.Vinod, learned counsel for the Appellant,
M/s.Ramya V.Rao, learned Advocate for the first Respondent and
Mr.S.Prabakaran, Manager - Legal for New India Assurance Company Limited
are present. After mutual discussion, negotiation, mediation and conciliation
between both parties, they arrived at a compromise to settle the matter as



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TERMS OF SETTLEMENT

The Tribunal has awarded a sum of Rs.10,03,720/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit. Aggrieved by the award of the Tribunal, the appellant / Insurance Company had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to settle the case for a sum of Rs.11,50,000/- (Rupees Eleven lakhs Fifty Thousand only) in full quit, as compensation.

3. The Appellant / Insurance company has already deposited a sum of Rs.7,88,840/- (including TDS) and balance sum of Rs.3,61,160/- shall be deposited within a period of four weeks.

3. The appellant/Insurance company has already deposited a sum of Rs.7,88,840/- before the Tribunal. In addition to that, the Insurance company is directed to deposit the modified balance amount of Rs.3,61,160, within a period of four weeks from the date of receipt of a copy of this order.

4. On such deposit being made, the first respondent is permitted to withdraw a sum of Rs.11.50,000, in full quit, before the Tribunal without filing any formal petition. The Award is passed accordingly.



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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.

6. This Civil Miscellaneous Appeal is disposed of accordingly. Consequently, connected Miscellaneous Petition is closed.

The New India Assurance Company Limited,
Puducherry.

Counsel for the Appellant

Deenadayalan

Counsel for the Respondent

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.

Judge

Member



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To: The parties/Advocate concerned

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R.KARUPPIAH,J.(Retd.)

drl

Copy to:

1. The Motor Accidents Claims Tribunal,
Principal Sub Court, Cuddalore.
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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