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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Sunday, the 26th day of June 2022

LOK ADALAT AWARD

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(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.K.Balasubramanian

Mr. C.K.Chandrasekaran

CMA No.3200 of 2021

(Appeal against the judgment and decree passed on 24.06.2021 made
in M.C.O.P.No.1681 of 2018 on the file of the Motor Accidents Claims Tribunal/
Special Sub Judge, Cuddalore)

- 1.Madurambal
- 2.A.Kaviyarasan
- 3.A.Nizhalarasan
- 4.A.Anbarasi

.. Appellants

Vs.

- 1.Bhargava Vatsavasi
- 2.The Divisional Manager
The New India Assurance Co. Ltd.,
DO III Floor, No.179, JN Street,
Puducherry – 605001.

.. Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellants Ms.Ramya V.Rao and the learned counsel for the second respondent, Mr.T.Jayaraman are present. No appearance for the first respondent. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:



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TERMS OF SETTLEMENT

Both the parties and their respective counsel are present.

2.The Tribunal has awarded a sum of Rs.6,14,600/-(Rupees Six Lakhs Fourteen Thousand Six Hundred Only) with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

3. Aggrieved by the award, the appellants/claimants has preferred the present appeal, for enhancement.

4. Now the Appellants have agreed to receive a sum of Rs.3,50,000/-(Rupees Three Lakhs Seventy Five Thousand only) in full quit (without interest) in addition to the award amount, which is also acceptable to the second respondent.

5. It is reported that the amount awarded by the Tribunal has been deposited by the Insurance Company. The second respondent/Insurance Company is directed to deposit the additional award amount, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the claimant is permitted to withdraw the award amount already deposited and the additional award amount now directed to be deposited. The apportionment ordered by the Tribunal is confirmed. Award is passed accordingly.

6.The Tribunal is directed to issue the cheque to the party 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.



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1.Madurambal

2.A.Kaviyarasan

3.A.Nizhalarasan

4.A.Anbarasi

Counsel for the appellant

Divisional Manager
The New India Assurance Company Ltd.,
Divisional Office
No.1, Bharathi Street,
Cuddalore – 607 001.

Counsel for the second respondent

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.



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To
The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal/ Special Sub Judge, 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.



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SUNDER MOHAN, J

vsn/sms

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26.06.2022