



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee

Tuesday, the 14th day of June 2022

WEB COPY

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE T.N.VALLINAYAGAM (Retd.)

and

Member

Mr.S.Boothanathan, District Judge, Retd.

CMA.No.3191 of 2021 and CMA.No.45 of 2022

and

CMP.No.18174 of 2021

CMA.No.3191 of 2021 : Appeal against the judgment and decree dated 21.04.2021 made in M.C.O.P.No.5035 of 2017 on the file of the Motor Accidents Claims Tribunal (In the III Court of Small Causes / FAC) Chennai.

The Manager,
National Insurance Company Limited,
No.46, 3rd Floor, Moore Street,
Chennai - 600 001.

..Appellant/2nd Respondent

Vs.

1. Amit Virani @ Amit Kumar

2. Dipti A.Virani

..Respondents/Petitioners

3. Subhash Verma - ex-parte before the Tribunal

..Respondent/I Respondent

CMA.No.45 of 2022 : Appeal against the judgment and decree dated 21.04.2021 made in M.A.C.T.O.P.No.5035 of 2017 on the file of the Motor Accidents Claim Tribunal and in the III Court of Small Causes, Chennai.

1. Amit Virani @ Amit Kumar

2. Dipti A.Virani

..Appellants



Vs.

1. Subash Verma

(Since R1 remained ex-parte before the Tribunal
his presence may be dispensed with)

2. The Manager

National Insurance Company Limited,
No.46, 3rd Floor, Moore Street,
Chennai - 600 001.

..Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.D.Bhaskaran Counsel for the Insurance Company and Mr.V.Suman for A.G.F. Teery Chella Raja, Counsel for the claimants 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

The appeal is filed by the Insurance Company in CMA.No.3191 of 2021 and the parties in CMA.No.45 of 2022.

2. Both parties settled the compensation amount at Rs.26,00,000/- in full quit. The amount already deposited by the Insurance Company shall be deducted and the balance shall be paid by the Insurance Company within a period of six weeks. The claimants are entitled to 50% of the award each Rs.13,00,000/- (Rupees Thirteen Lakhs only)

3. Parties are entitled to withdraw the entire amount of their share so deposited from the Lower Court following the usual procedure.

4. 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 are disposed of accordingly. Consequently connected miscellaneous petition is closed.

Sd/-

The Manager,
National Insurance Company Limited,
No.46, 3rd Floor, Moore Street,
Chennai - 600 001.

Sd/-

Counsel for the Insurance Company



Sd/-

1. Amit Virani @ Amit Kumar

Sd/-

2. Dipti A.Virani

Sd/-

Counsel for the Claimants

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

The full Court fee paid shall be refunded to the appellants 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 21 r/w 25 of LSA Act 1987 as amended in 1994.

Sd/-

Sd/- Judge
Member

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal and in the III 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

CMA.No.3191 of 2021 and CMA.No.45 of 2022
and

CMP.No.18174 of 2021

MG (CO)

PR (29/06/2022)