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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.3544 of 2021

(Appeal against the judgment and decree passed on 06.07.2021 made
in M.C.O.P.No.689 of 2020 on the file of the Motor Accidents Claims Tribunal/
Special District Judge, Salem)

Suseela

.. Appellant

Vs.

1.S.Elango

(Set Exparte before the Tribunal)

2.The National Insurance Company Ltd.,

Divisional Office

Pollachi.

.. Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.S.P.Yuvaraj and the learned counsel for the second respondent, Mrs. N.B.Sureka 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:

**TERMS OF SETTLEMENT**

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Both the parties and their respective counsel are present.

The Claimant preferred an appeal for enhancement of the award passed by the Tribunal. The parties have now arrived at a settlement. Insurance Company has deposited the award amount of Rs.4,29,091/- (Rupees Four Lakhs Twenty Nine Thousand and Ninety One only) with interest at 7.5% per annum from the date of petition till the date of realization as awarded by the Tribunal.

a. In addition the Insurance/Company shall pay a sum of Rs.1,00,000 in full quit. The learned counsel for the 2nd respondent/Insurance Company sought time to deposit the award amount. The insurance company is directed to deposit the agreed amount of Rs.1,00,000/- before the Tribunal within a period of 6 weeks from the date of a receipt of a copy of this order.

On such deposit the appellant is entitled to withdraw the entire agreed amount and the award amount Rs.4,29,091/- already deposited with accrued interest. Award is passed accordingly.

5. The Tribunal is directed to follow the usual mode of payment or 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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Counsel for the appellant

Divisional Manager
The National Insurance Company Ltd.,
Divisional Office



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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.

Judge

Member

Member

To

The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal/ Special District Judge, Salem.
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/dk

C.M.A.No.3544 of 2021

12.11.2022