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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.3542 of 2021

(Appeal against the judgment and decree passed on 06.07.2021 made
in M.C.O.P.No.684 of 2020 on the file of the Motor Accidents Claims Tribunal/
Special District Judge, Salem)

1.Senthilkumar

2.Minor.S.K.Dhanushiya

3.Minor.S.K.Tejasvini

(Minors are represented by their

N/F Father Senthil Kumar/ first appellant herin)

.. Appellants

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

**TERMS OF SETTLEMENT**

Both the parties and their respective counsel are present.

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2.The Claimants preferred an appeal for enhancement of the award passed by the Tribunal. The parties have now arrived at a settlement. The Tribunal had awarded a sum of Rs.6,07,000/- along with 7.5%. The Insurance Company has already deposited the entire award amount with interest as awarded by the Tribunal.

a.In addition, the Insurance Company agreed to pay a sum of Rs.6,93,000/- (Rupees Six Lakhs Ninety Three Thousand only) in full quit. The learned counsel for the 2nd respondent/Insurance Company seeks time to deposit the award amount.

b. The Insurance company is directed to deposit the additional agreed amount of Rs.6,93,000/- within a period of 6 weeks from the date of receipt of a copy of this order. Minors/2nd and 3rd Appellants are entitled to a sum of Rs.1,50,000/-each and their share shall be deposited in a Nationalised Bank in a fixed deposit, untill they attain majority. The first claimant is permitted to withdraw his share of Rs.3,93,000/-.

On such deposit, the first claimant is entitled to withdraw his share of the award amount, the deposited award amount of Rs.6,07,000/- with interest at 7.5% from the date of petition till the date of deposit shall be apportioned as awarded by the Tribunal. Minors share shall be deposited in a Nationalised Bank until they attain majority. Award is passed accordingly.

5. The Tribunal is directed to follow the usual mode of payment 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
Pollachi..

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.3542 of 2021

12.11.2022