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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Thursday, the 22nd 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 S.K.KRISHNAN (Retd)
and

Member
Mr.G.Dhanaraj, District Judge (Retd)

C.M.A.No.3668 of 2021

Appeal against the decree and judgment dated 28.09.2020 made in
M.C.O.P.No.876 of 2007 on the file of the Motor Accident Claims Tribunal,
Additional Subordinate Judge, Kancheepuram.

S.Deivasigamani (Died)

- 1.Loganayagi
- 2.Menaka
- 3.D.Harikrishnan

.. Appellants

Vs.

1. G.Dilli Babu
2. The Manager,
ICICI Lombard General
Insurance Company Limited,
Chottabhai Centre,
No.140, 2nd and 3rd Floor,
Nungambakkam High Road,
Chennai – 600 034.
(1st Respondent remained exparte,
hence notice may be dispensed with)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties



Mr.P.Magesh, learned counsel for the second respondent and Mr.R.Elambarudhi, Manager (Legal) for ICICI Lombard General Insurance Company Limited 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 Tribunal has awarded a sum of Rs.2,08,000/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit. It is represented by the learned counsel for the second respondent / Insurance company that the entire award amount with interest and cost has already been deposited before the Tribunal.

2. Not satisfied with the award of the Tribunal, the claimants / appellants has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only) over and above the award amount passed by the Tribunal in full quit as enhanced compensation.

3. The second respondent / Insurance Company is directed to deposit the enhanced award amount of Rs.1,50,000/- (Rupees One Lakh Fifty Thousand only), in full quit, within a period of six weeks from the date of receipt of a copy of this order.



4. On such deposit, the claimants / appellants are permitted to withdraw their entire award amount of Rs.2,08,000/- together with interest and cost along with enhanced award amount of Rs.1,50,000/- equally, without filing any formal petition. The Award is passed accordingly.

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. The Civil Miscellaneous Appeal is disposed of accordingly.

1.Loganayagi

2.Menaka

3.D.Harikrishnan

Counsel for the Appellants

The Manager,
ICICI Lombard General Insurance Company Limited,
Chottabhai Centre, No.140, 2nd and 3rd Floor,
Nungambakkam High Road,
Chennai – 600 034.

Counsel for the Respondent



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

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal,
Additional Subordinate Judge, Kancheepuram.
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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S.K.KRISHNAN, J.(Retd.)

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C.M.A.No.3668 of 2021

22.12.2022