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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.2850 of 2017 and
Cross Objection No.10 of 2018

(Appeal against the judgment and decree passed on 06.01.2017
made in M.C.O.P.No.3984 of 2012 on file of the Motor Accidents Claims
Tribunal, II Court of Small Causes, Chennai)

C.M.A.No.2850 of 2017

M/s.Reliance General Insurance Company Limited
Rais Towers, Plot No.2054,
Second Avenue, Anna Nagar,
Chennai 600 040.

...Appellant

Vs.

1.Sivasankaran

2.Yogendiran
(Set Exparte before the Tribunal)

... Respondents

Cross Objection No.10 of 2018

1.Sivasankaran

...Cross Objectitioner



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Vs.

M/s.Reliance General Insurance Company Limited

Rais Towers, Plot No.2054,

Second Avenue, Anna Nagar,

Chennai 600 040.

... 1st Respondent in Cross Objection

No.10 of 2018/Appellant in C.M.A.No.2850 of 2017

2.Yogendiran

...2nd Respondent/2nd

Respondent in C.M.A.No.2850 of 2017

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the cross objector Mr.P.Nagaraj for V.Velu and the first respondent/Insurance Company officials Mr.G.B.Saravanabhavan, the learned counsel for the first respondent Mrs.C.Bhuvanasundari for S.Arunkumar are present. No appearance for the second 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

Both the parties and their respective counsel are present.

2.The above appeal has been preferred by the Insurance Company challenging the quantum of Rs.8,57,000/- awarded by the Tribunal. At the time of the admission, the Insurance Company had deposited Rs.11,30,226/- (Rupees Eleven Lakhs Thirty Thousand Two Hundred and Twenty Six only) which includes the award and interest awarded by the Tribunal.



3. Parties have now arrived at compromise, by which the claimant shall be entitled to entire deposited amount along with accrued interest excluding Rs.50,000/- (Rupees Fifty Thousand only) which is payable to the Insurance Company. The Insurance Company shall be entitled to Rs.50,000/- only from the deposited amount. The balance amount and entire banking interest shall be withdrawn by the claimants.

4. It is reported by both the parties that the claimant has preferred the Cross objection No.10 of 2018 and the same is not listed today the cross objectioner is ready to withdraw the cross objection without any relief. The learned counsel for the claimant also made an endorsement to that effect. Hence, the Cross objection is dismissed as withdrawn.

5. Accordingly, the Civil Miscellaneous appeal is disposed of.

6. As per this award Rs.10,80,226/- (Rupees Ten Lakhs Eighty Thousand Two Hundred and Twenty Six only) along with entire banking interest shall be disbursed to the claimant through RTGS/NEFT and Rs.50,000/- shall be disbursed to the Insurance Company through RTGS/NEFT.

G.Sivasankaran

Counsel for the Cross
Objectioner

M/s.Rliance General Insurance Company Limited
Rais Towers, Plot No.2054,
Second Avenue, Anna Nagar,



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Chennai 600 040.

Counsel for the second respondent

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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/ II Small Causes Court, 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.



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SUNDER MOHAN, J.

vsn/dk

C.M.A.No.2850 of 2017
and Cros.Obj.No.10 of 2018

12.11.2022