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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat-I organised by the High Court Legal Services
Committee

Wednesday, the 26th day of October, 2022

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE K.GNANAPRAKASAM (Retd.)
and

Member

Mr.R.Ramaraj, District Judge (Retd.)

C.M.A.No.2969 of 2019

(This Civil Miscellaneous Appeal is filed against the Judgment and Decree and judgment in MACT OP No.1216 of 2006 dated 04.07.2016 on the file of the learned Special Sub Judge I to deal with MCOP Cases, MACT, Chennai.

1.G.Balasubramaniam
2.B.ShanmugaBharathi
3.B.SivaBharathi

.. Appellants

Vs.

1.A.K.Bose
2.N.Abdul Hameed
3.M/s.United India Insurance Company Ltd.,
III Party Claims Cell
No.38 Anna Salai, Chennai – 600 002.
(Respondents 2 and 3 remained ex-parte
before the Tribunal)

.. Respondents



This case came up for settlement before the Lok Adalat. Both parties are present. M/s.E.Felix, the learned Advocate for the appellants, Mr.P.Sankaranarayanan, learned Advocate for the third respondent and Mr.B.Senthilvel, Assistant Manager for United India Insurance Company Ltd., 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.9,48,200/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit with cost. Aggrieved by the award of the Tribunal, the appellants / Claimants had preferred the present appeal.

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.2,50,000/- (Rupees Two Lakhs Fifty Thousand only) over and above the award amount (Rs.9,48,000/-) passed by the Tribunal in full quit as additional compensation.

3. The third respondent / Insurance Company is directed to deposit the enhanced award amount of Rs.2,50,000/- in full quit, within a period of six weeks from the date of receipt of a copy of this order.



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4. On such deposit being made, the claimants / appellants are permitted to withdraw their shares in the same ratio as apportioned before the Tribunal 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.G.Balasubramaniam

2.B.ShanmugaBharathi

3.B.SivaBharathi

Counsel for the Appellants

M/s.United India Insurance Company Ltd.,
III Party Claims Cell



No.38 Anna Salai, Chennai – 600 002.
Respondent

Counsel for the

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

The Court fee paid shall be refunded to the appellant 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.

Member

Judge

To

The parties/Advocate concerned

Copy to:

- 1.The Special Sub Judge I to deal with MCOP Cases, MACT, 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

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K.GNANAPRAKASAM,J. (Retd.)

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C.M.A.2969 of 2019

26.10.2022