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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 11th day of February 2023

NATIONAL LOK ADALAT

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

Presided over by

The Hon'ble Mrs.JUSTICE T.V.THAMILSELVI
and

Members

1. Mr. P.Rosiah, District Judge (Retd)
2. Mrs. A.Veeramarthini

C.M.A.No.1611 of 2019

This Civil Miscellaneous Appeal has been filed against the Judgment and Decree in M.C.O.P. No.38 of 2016 dated 13.04.2018 on the file of the Motor Accidents Claims Tribunal/Additional District Judge, Hosur at Krishnagiri District.

The Divisional Manager,
New India Assurance Company Limited,
K.G.Swamy Complex, Bagalur Road,
Hosur - 635109.

.. Appellant

Vs.

1. Amirkhan (died)
2. Pyari Jan
3. Zarina
4. Saleem
5. Minor Salma
Rep by next friend / mother
Mrs.Zarina
- 6.Muneer Ahmed
(6th Respondent is set exparte
before the Tribunal)

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.J.Chandran, learned counsel for the Appellant and

<https://www.mhco.n.gov.in/judis> Mr.M.SIVAKUMAR, learned Advocate for the Respondents 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.23,98,000/- with interest at 7.5% per annum from the date of filing of the petition till the date of deposit.

2. Today, when the matter taken up for hearing, both the appellant and respondents along with their counsel appeared. The third respondent one Zarina appeared before this Court through Video Conference and she also agreed for the terms of settlement. After due deliberation and consultation, both parties have submitted that as per the compromise arrived between the parties, they have agreed to settle the case for a sum of Rs.7,63,240/- (Rupees Seven Lakhs Sixty Three Thousand Two Hundred and Forty only) along with 7.5% proportionate interest.

3. The appellant / Insurance company shall deposit the modified award amount of Rs.7,63,240/- (Rupees Seven Lakhs Sixty Three Thousand Two Hundred and Forty only) along with 7.5% proportionate interest. The Appellant further submits that they had deposited a sum of Rs.15,74,363/- before the Tribunal as per the interim order passed by this Hon'ble Court. The appellant / Insurance company is directed to withdraw any excess amount is available before the Tribunal.



4. On such deposit being made, the second respondent/second claimant is entitled to withdraw a sum of Rs.1,63,240/- along with 7.5% proportionate interest and the third, fourth and fifth respondents are entitled to withdraw their respective shares for a sum of Rs.2,00,000/- each along with 7.5% proportionate interest, 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. This Civil Miscellaneous Appeal is disposed of accordingly.

The Divisional Manager,
New India Assurance Company Limited,
K.G.Swamy Complex, Bagalur Road,
Hosur - 635109.

Counsel for the Appellant

1. Pyari Jan

2. Zarina

3. Saleem

4. Minor Salma
Rep by next friend / mother
Mrs.Zarina

Counsel for the Respondents

**T.V.THAMILSELVI, J.**

drl

The full 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 2 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,
Additional District Judge at Hosur, Krishnagiri District.
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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