



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 11th day of March, 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs. Justice R. KALAIMATHI
and

Members

Mr. M. Sambasivam, District Judge (Retd)

Mr. Sai Srujan TAYI, Advocate

C.M.A.No.325 of 2023

Appeal against the Judgment and decree in M.C.O.P.No.611 of 2016 dated 22.11.2019 on the file of the Motor Accident Claims Tribunal, Special District Court, Dharmapuri.

Samson @ Jabastin

...Appellant

Vs.

1. S. David

2. Bajaj Allianz General Ins.Co. Ltd.,
Rep.by its Branch Manager,
GSN Arcade, 2nd Floor,
Sy.No.6/29, T.S.No.75,
Ward No.17, Block No.1,
Bypass Road, Hosur Town,
Krishnagiri District-635 109.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.D.Ramesh Kumar, learned counsel for appellant and Mr.R.V.Sivaraj, learned counsel for the 2nd respondent / Insurance Company 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**

WEB COPY

The Tribunal has awarded a sum of Rs.3,45,200/- with interest at 7.5% per annum from the date of numbering of petition till the date of realisation as compensation. Aggrieved by the award of the Tribunal, the appellant had preferred the present appeal.

2. After due deliberation and consultation, both the parties have agreed to add (over and above) the award to a sum of Rs.2,30,000/- (Rupees Two Lakhs and Thirty Thousand only) in full quit (without interest) as compensation.

3. The 2nd Respondent / Insurance Company is directed to deposit the above said accepted award amount of Rs.2,30,000/- (Rupees Two Lakhs and Thirty Thousand only) after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this award. If the payment has not been made within the time stipulated, the appellant is directed to pay the amount along with the interest at the rate of 7.5% p.a., till the date of realisation.

4. On such deposit, the appellant/claimant is permitted to withdraw the modified amount without filing any formal petition.

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, with out insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

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



WEB COPY

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 21 r/w 25 of LSA Act 1987 as amended in 1994.

Samson @ Jabastin

Counsel for the Appellant

1.S.David (Exparte)

2. Bajaj Allianz General Ins.Co. Ltd.,
Rep.by its Branch Manager,
GSN Arcade, 2nd Floor,
Sy.No.6/29, T.S.No.75,
Ward No.17, Block No.1,
Bypass Road, Hosur Town,
Krishnagiri District-635 109.

Counsel for the 2nd Respondent

Judge

Member

Member

To:
The parties/Advocate concerned
Copy to:

- 1.The Motor Accident Claims Tribunal, Special District Court, Dharmapuri.
- 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



R.KALAIMATHI,J.,

ssn

C.M.A.No.325 of 2023

11.03.2023