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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 11th day of March 2023

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs.JUSTICE K.GOVINDARAJAN THILAKAVADI

and

Members

Mr.N.Balasubramanian

District Judge (Retd.)

Mr.E.V.Chandru

Advocate

C.M.A.No.1243 of 2022

(Appeal against the judgment and decree passed on 27.07.2021 made in M.C.O.P.No.1828 of 2016 on the file of the Motor Accident claims Tribunal(IV Court of small causes, Chennai).

M/s.United India Insurance Co. Ltd.,
No.135,Silingai Buildings,
No.134, Greams Road,
Chennai-600 006

.. Appellant

Vs.

1.Albert @ Albert raj
2.N.Anbalagan

.. Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant Mr.P.Shankaranarayanan and the learned counsel for the first respondent, M/s.K.Varadha Kamaraj and R.Dinesh Kumar 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

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Both the parties and their respective counsel are present.

2. The Tribunal has awarded a sum of Rs.31,73,000/(Rupees Thirty one lakhs and seventy three thousand only) with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

3. Aggrieved by the award, the appellant/Insurance Company has preferred the present appeal. Now the claimant has agreed to receive a sum of Rs.28,75,000/- (Rupees twenty eight lakhs and seventy five thousand only) along with interest of 7.5 % from the date of petition to till the date of deposit with cost, which is also acceptable by the appellant/Insurance Company. Further the learned counsel for the appellant would submit that the 1st respondent filed an enhancement appeal in C.M.A.No.94 of 2022 and the learned counsel for the 1st respondent would submit that he will withdraw the C.M.A.No.94 of 2022 and also filed memo to that effect and appellant herein also made an endorsement "No Objection". hence, C.M.A.No.94 of 2022 is dismissed as withdrawn.

4. The Appellant/Insurance Company is directed to deposit the award amount, now ordered after deducting any amount already deposited, within a period of six weeks from the date of receipt of a copy of this order. Award is passed accordingly.

5. The Tribunal is directed to issue the award amount through NEFT/RTGS to the party concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition.



6.The appeal is ordered accordingly. Consequently, the connected MP, if any, is closed.

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M/s.United India Insuranace Co. Ltd.,
No.135, Silingai Buildings,
No.134, Greams Road,
Chennai-600 006

Counsel for the appellant

Albert @ Albert raj

Counsel for the first respondent

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 Accident claims Tribunal(IV Court of small causes, 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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K.GOVINDARAJAN THILAKAVADI, J.

vsn

C.M.A.No.1243 of 2022

11.03.2023