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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 10th day of June, 2023

NATIONAL LOK ADALAT

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

Presided over by

THE HON'BLE MR.JUSTICE P.B.BALAJI
and

Members

1. Mr. Cibi Vishnu, Advocate
2. Mr. K.Balasubramanian, District Judge (Retd.)

C.M.A.No.3540 of 2021

This Civil Miscellaneous Appeal is filed against the order made in M.C.O.P. No.703 of 2018 dated 18.12.2019 on the file of the Motor Accident Claims Tribunal, Additional Sub Court, (FAC) Principal Subordinate Court, Pondicherry.

The Branch Manager,
M/s.Cholamandalam MS General Insurance Company Limited,
D-126, 100 Feet Road,
Mudaliarpettai, Mudaliarpet SO,
Puducherry.

... Appellant

/versus/

1.Josephine Sheela

2.S.Rajasekar

... Respondents

Both the parties are present. Mr.M.B.Raghavan, learned counsel for appellant and Mr.R.Sreedhar, the learned counsel for the 1st respondent 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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The above Civil Miscellaneous Appeal is filed, challenging the award passed in M.C.O.P. No. 703 of 2018 by the Motor Accident Claims Tribunal, Additional Sub Court, (FAC) Principal Subordinate Court, Pondicherry.

2. The Tribunal has awarded a sum of Rs.2,08,800/- 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 appellant had preferred the present appeal.

3. When the case is pending, there was a negotiation between the parties as well as the counsel on record, resulting finalization of the quantum at Rs.1,70,000/-(Rupees One Lakh Seventy Thousand only) together with interest. The parties in person and the counsel on record and the Insurance Company are agreed for the compromise.

4. Learned counsel appearing for the appellant submitted that they have already deposited a sum of Rs.1,25,000/- together with interest before the Tribunal.

5. The appellant / Insurance Company shall deposit the award amount along with interest less the amount already deposited, if any, within a period of four weeks from the date of receipt of a copy of this order. On such deposit being made, the claimant / 1st respondent is permitted to withdraw the award amount along with interest, without insisting on a formal payment out petition. Award is modified accordingly.

6. 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. Consequently, the connected miscellaneous petition, if any, is



closed.

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7. This Civil Miscellaneous Appeal is disposed of accordingly.

The Branch Manager,
M/s.Cholamandalam
MS General Insurance Company Limited,
D-126, 100 Feet Road,
Mudaliarpettai, Mudaliarpet SO,
Puducherry.

Counsel for the appellant

Josephine Sheela

Counsel for the respondent

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.

Judge

Member

Member



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P.B.BALAJI, J.

Anu_

To

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal, Additional Sub Court, (FAC) Principal Subordinate Court, Pondicherry
- 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

C.M.A.No.3540 of 2021

10.06.2023