



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 09th day of September 2023

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE K.KUMARESH BABU

and

Members

Mr.A.Ratnavelu , District Judge (Retired)

Mrs.V.J.Latha, Advocate

C.M.A.No. 1626 of 2023

(Appeal against the judgment and decree passed on **11.11.2022** in **MCOP No.4999 of 2015** on the file of the Motor Accident Claims Tribunal/ Special Sub Court, No.1 Chennai (**Small Causes Court at Chennai**).

P.Bakkiyam

.. Appellant

Vs;.

1.Prakitsha Malhotra
2.Bajaj Allianz Gen., Insurance Co., Ltd.,
New No.497 & 498 Old No.276 & 277,
Isana Kattima Building, 5th Floor,
Near D G Vaishnav College,
Arumbakkam, Chennai – 16.

.. Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. The learned counsel for the appellant for Mrs.Ramya V Rao, and Mr.Rajadurai for Mr.M.B.Gopalan, the learned counsel appearing for the second 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

This appeal has been filed by the claimant challenging the award dated 21.12.2022. The amount of Rs.4,16,700/- (Rupees Four Lakhs and Sixteen Thousand and Seven Hundred only) with interest at 7.5% p.a. from the date of petition till the date of deposit as compensation.

2. Aggrieved over the disallowed portion of compensation had filed this appeal. The first respondent remained *exparte* before the Tribunal.

3. The second respondent is the Insurance company and during the interaction, she had agreed for a full and final settlement of a sum of Rs.2,00,000/- (Rs.Two Lakhs only) apart from the award amount, which had been deposited before the Court below together with interest as per the award. The second respondent has also agreed to pay a sum of Rs.2,00,000/- over and above the award amount within a period of four (4) weeks from the date of the receipt of a copy of this order. From the amount to be deposited and already deposited, the appellant/claimant is entitled to withdraw the award amount as per the apportionment fixed by the Tribunal. Award is passed accordingly.

4. The Tribunal is directed to issue the cheque to the parties concerned on proper identification in accordance with the terms of the award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. Consequently, the connected miscellaneous petitions are closed, if any.

P.Bakkiyam

Counsel for the appellant

1.Prakitsha Malhotra

Counsel for the first respondent



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2. Bajaj Allianz Gen., Insurance Co., Ltd.,
New No.497 & 498 Old No.276 & 277,
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Arumbkkam, Chennai – 16.

Counsel for the Insurance company

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, Chennai (**Special Sub Court No.I, Small Causes at 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.KUMARESH BABU, J

gba/pbn

C.M.A.No. 1626 of 2023

09.09.2023