

**HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI**

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 11th February 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 J.SATHYA NARAYANA PRASAD

and

Members

Mr.N.Balasubramanian, District Judge (retd)

Mr.K.V.Muthuvisakan, Advocate

C.M.A.No.2320 of 2022

(Appeal against the judgment and decree passed on 21.06.2022 made in MCOP.No.729 of 2015 on the file of the Motor Accidents Claims Tribunal (Principal Sub Judge, Cuddalore).

The Oriental Insurance Co. Ltd.,
Third Party Claims Hub,
No.115, Prakasam Salai,
Broadway, Chennai.

.. Appellant

/versus/

1. Amudha

2. Visu

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.D.Bhaskaran, learned counsel for appellant and Ms.V.Ramya V.Rao, learned counsel for the first 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 Tribunal has awarded a sum of Rs.4,35,000/- with interest at the rate of 7.5% per annum as compensation to the first respondent/claimant. Challenging the same, the appellant/Insurance Company has preferred this appeal.

2. After due deliberation and consultation, both the parties have agreed for settlement of a sum of Rs.3,80,000/- (Rupees Three Lakhs Eighty Thousand Only) in addition to the amount which was already deposited, in full quit (inclusive of interest) and the same is hereby, awarded. The other part of the order regarding pay and recovery is confirmed. The award is modified accordingly.

3. The appellant /Insurance Company has already deposited a sum of Rs.25,000/-. The appellant is directed to deposit a balance sum of Rs.3,55,000/- (Rupees Three Lakhs Fifty Five Thousand Only) in full quit within a period of six weeks from the date of receipt of a copy of this order. On such deposit being made, the Tribunal shall transfer the deposited amount to the Bank account of the first respondent/claimant by way of NEFT/RTGS, on proper identification, in accordance with the terms of the award, without insisting on any formal permission petition.

4. Accordingly, the Civil Miscellaneous Appeal is disposed of.



The Oriental Insurance Co. Ltd.,
Third Party Claims Hub,
No.115, Prakasam Salai,
Broadway, Chennai.

Counsel for the Appellant

Amudha

Counsel for the first respondent

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

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.

Judge

Member

Member



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J.SATHYA NARAYANA PRASAD, J.

vm/mn

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, (Principal Sub Judge, Cuddalore).
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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Dated : 11.02.2023