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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.4352 of 2019

(Appeal against the judgment and decree passed on 20.06.2018 made in MCOP.No.2862 of 2014 on the file of the Motor Accidents Claims Tribunal, (V Small Causes Court, Chennai)

D.Chakrapani

.. Appellant

/versus/

1. L.Usenabee

2. The Oriental Insurance Company Limited,
Motor Third Party Hub,
No.115, Broadway,
Chennai 600 108.

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mr.T.Mohan Raju, learned counsel for appellant and Mr.J.Gopalan (Regional Manager) present along with Mr.P.Kandasamy, learned counsel 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

The Tribunal has awarded a sum of Rs.1,62,366/- with interest at 7.5% per annum from the date of petition till the date of deposit. It is represented by the learned counsel for the claimant and the 2nd respondent that the amount has already been deposited before the Tribunal.

2. Not satisfied with the award of the Tribunal, the appellant/claimant has preferred the present appeal for enhancement. Now, both the parties have agreed to a sum of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) in full quit over and above the amount awarded by the Tribunal.

3. The 2nd respondent /Insurance Company is directed to deposit the enhanced award amount of Rs.2,50,000/- (Rupees Two Lakhs Fifty Thousand Only) in full quit (inclusive of interest), within a period of six weeks from the date of receipt of a copy of this order. On deposit of the aforesaid enhanced amount by the second respondent/Insurance Company, the appellant is permitted to withdraw the same, without filing any formal petition. The other part of the order regarding pay and recovery is confirmed. The Award is passed accordingly.



4. The Tribunal is directed to issue the cheque to the party 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.

D.Chakrapani

Counsel for the Appellant

The Oriental Insurance Company Limited,
Motor Third Party Hub,
No.115, Broadway,
Chennai 600 108.

Counsel for the second 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

To: The parties/Advocate concerned

Copy to:

1. The Motor Accidents Claims Tribunal, (V Small Causes Court, 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. +2 copies



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J.SATHYA NARAYANA PRASAD, J.

vm/mn

C.M.A.No.4352 of 2019

Dated :11.02.2023