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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 14th December, 2024

LOK ADALAT AWARD

(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

Mr.M.Sambasivam, District Judge (Retd.)
Mrs.D.Prasanna, Advocate

CMA.No.1247 of 2022
and CMP.No.9177 of 2022

Appeal against the judgment and decree in MACT.O.P.No.234 of
2017 dated 06.09.2021 on the file of the Motor Accident Claims
Tribunal/District Court, (FAC), Karaikal.

The Branch Manager
National Insurance Company Limited
First Floor, Jaglur Mahalingappa Towers
Above HDFC Bank Limited
Bangaluru Davanagere Road
Post Box No.94, Chitradurga
Karnataka.

... Appellant

Vs.

1.Alex Mary
2.Lilly
3.Minor Vincent
(Minor petitioner is represented
by his next friend mother, first respondent herein)

4.John joseph
5.Veerappa Meter
6.Maqsood Ahamed

... Respondents



This case is taken up for settlement before the National Lok-Adalat. Both the parties are present. Ms.N.B.Sureka, learned counsel for appellant and Mr.S.V.Karthikeyan, learned counsel for the respondents 1 to 4 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.20,65,392/-**, with interest at 7.5% per annum, from the date of petition, till the date of decree and costs as compensation. Aggrieved by the award of the Tribunal, the appellant has preferred the present appeal.

2. After due deliberation and discussions, both the parties have agreed to modify the award to a sum of **Rs.19,90,392/-** (Rupees Nineteen Lakhs Ninety Thousand and Three Hundred Ninety Two Only) together with interest @ 7.5% per annum from the date of petition to till the date of deposit.

3. The appellant/Insurance Company are directed to deposit the award amount of **Rs.19,90,392/-** (Rupees Nineteen Lakhs Ninety Thousand and Three Hundred Ninety Two Only) together with interest @



7.5% per annum from the date of petition to till the date of deposit, after deducting the amount already deposited if any, within a period of eight weeks from the date of receipt of a copy of this award.

4. On such deposit second respondent who is the mother of the deceased is entitled to a sum of Rs.3,00,000/-, the fourth respondent who is the brother of the deceased is entitled to a sum of Rs.1,00,000/- and the first respondent wife is entitled to a sum of Rs.10,00,000/- and the third respondent minor child is entitled to the balance sum of Rs.5,90,392/- and the share of the third respondent shall be deposited in any one of the Nationalized Bank for a fixed deposit in an interest bearing account, till attaining his majority. The first respondent mother shall be entitled to withdraw the interest once in three months for his welfare.

5. On such deposit, the respondents 1, 2 & 4 are permitted to withdraw the modified amount without filing any formal petition. Award is passed 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, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly. The connected Civil Miscellaneous Petition is closed.



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Karnataka.

..Counsel for the Appellant

1.Alex Mary

2.Lilly

3.Minor Vincent

(Minor petitioner is represented
by his next friend mother, first petitioner herein)

4.John joseph

..Counsel for the respondents
1 to 4

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

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Copy to:

- 1.The Motor Accident Claims Tribunal/District Court, (FAC), Karaikal.
- 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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P.B.BALAJI.J.,

rkp/dna

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