



WEB COPY



C.M.A.No.2285 of 2024

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Saturday, the 14th day of September, 2024

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Dr. JUSTICE S.VIMALA (Retd.)

AND

MEMBERS :

Mr.N.Balasubramanian, District Judge, (Retd.)

Ms.K.M.Valsala Kumari, (Advocate)

C.M.A.No.2285 of 2024

(Appeal against the judgement and decree, dated 02.01.2024 passed in
M.C.O.P. No.2967 of 2018 passed by the Motor Accidents Claims Tribunal,
(Special District Court No.I), Cuddalore.)

The Chief Manager
The Oriental Insurance Company Ltd.
III Party Claims Hub
New No.216, Old No.115, Prakasam Salai
Broadway, Chennai 600 108

... Appellant

Vs

1.J.Mary
2.J.Yovan Britto Paul
3.J.Anto Mariya Kumar
4.J.Hana Fathima
5.Vijai Transport Firm
19, Natesan Mudaliyar Lane, Thiruaiyur Post & Taluk,
Tiruchirapalli District 621 010

... Respondents



C.M.A.No.2285 of 2024

This case came up for settlement before the Lok Adalat. Both parties present. Mr.M.Krishnamoorthy, learned counsel for the appellant and Mrs. Ramya V. Rao, learned counsel for the respondents are present.

After mutual discussion and negotiation between both parties they arrived at a compromise to settle the matter as follows :

TERMS OF SETTLEMENT

(i) As against the award passed by the Claims Tribunal for a sum of Rs.55,26,000/-, this appeal is preferred by the Insurance Company.

(ii) As against the award amount of Rs.55,26,000/- with interest of 7.5% p.a, the parties have agreed to settle for a sum of Rs.50,62,350/- with proportionate interest and cost and the division of the award amount of compensation shall be as per the directions given by the Claims Tribunal;

(iii) The appellant/Insurance Company agreed to deposit the entire award amount of Rs.50,62,350/- with proportionate interest and cost, less the amount already deposited to the credit of M.C.O.P. within a period of one month from the date of receipt of a copy of this order;

(iv) Upon such deposit, the respondents/claimants are entitled to withdraw the entire sum without any formal application and only upon verification of the identity.

The Chief Manager



C.M.A.No.2285 of 2024

The Oriental Insurance Company Ltd.

Counsel for Appellant

1.J.Mary

2.J.Yovan Britto Paul

3.J.Anto Mariya Kumar

4.J.Hana Fathima

Counsel for Respondents

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 71-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 2 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, (Special District Court No.I),
Cuddalore.

2. The Secretary, High Court Legal Services Committee, Chennai.

3. The Section Officer, V.R. Section, High Court, Madras.

4. The Section Officer,



C.M.A.No.2285 of 2024

Lok Adalat Section, High Court Madras. +2 copies

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Dr. JUSTICE S.VIMALA

nsi

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14.09.2024