



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 09th day of March, 2024

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mrs.Justice R.KALAIMATHI

AND

Members

Mr.A.Thanikasalam, District Judge (Retd.)

Mrs.K.Kavitha, Advocate

C.M.A.No.2698 of 2022

Appeal against the Judgment and decree in M.C.O.P.No.4637 of 2011 dated 11.12.2020 on the file of the Motor Accident Claims Tribunal (V Court of Small Causes), Chennai.

D.Mohan @ Mohan Dasswani

...Appellant

Vs.

1.G.Durairaj

2.The United India Insurance Co. Ltd.,

Silingi Building,

No.134, Greems Road, Thousand Lights,

Chennai – 600 006.

...Respondents

This case is taken up for settlement before the National Lok Adalat. Both the parties are present. Mr.K.Varadhakamaraj, learned counsel for appellant and Mr.J.Michael Visuvasam, learned counsel for the 2nd 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.15,27,700/- with interest @ 7.5% p.a. from the date of numbering of petition till the date of realisation as compensation. The appellant/claimant had already withdrawn the award amount of Rs.15,27,700/- with interest. Seeking enhancement of the award passed by the Tribunal, the appellant/claimant had preferred the present appeal.

2. After due deliberation, both the parties have agreed for enhancement of the award amount by a sum of Rs.8,00,000/- (Rupees Eight Lakhs Only) in full quit



over and above the amount already awarded by the Tribunal as compensation.

3. The 2nd respondent/Insurance Company is directed to deposit the enhanced amount of Rs.8,00,000/- (Rupees Eight Lakhs only) without interest, in addition to the amount awarded by the Tribunal, within a period of six weeks from the date of receipt of a copy of this order. On such deposit, the appellant/claimant is permitted to withdraw the amount. Award is passed accordingly.

4. On such deposit, the appellant/claimant is permitted to withdraw the modified amount without filing any formal petition.

5. 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, with out insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

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

The entire 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.

D.Mohan @ Mohan Dasswani

Counsel for the Appellant

1.G.Durairaj

2.The United India Insurance Co. Ltd.,
Silingi Building,
No.134, Greems Road, Thousand Lights,
Chennai – 600 006.

Counsel for the 2nd Respondent

Judge

Member

Member



R.KALAIMATHI,J.

mac/gya

To:

The parties/Advocate concerned

Copy to:

- 1.The Motor Accident Claims Tribunal, (V Court of Small Causes), 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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09.03.2024