



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th December, 2024

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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.2111 of 2023

Appeal against the order in M.C.O.P.No.1416 of 2018 dated 12.04.2023 on the file of the Motor Accident Claims Tribunal/Special Sub Court No.II, Motor Accidents Claims Petitions) Small Causes Court, Chennai.

- 1.Chellakili
- 2.Minor Ajay
- 3.Minor Archana
- 4.Vijaya (Died)

Appellants

[Minors appellants 2 and 3 are rep. by their mother and next friend Chellakkili, the 1st appellant]

Vs.

- 1.AKS Engineering Company,
No.468, Sidco Industrial Estate,
Ambattur, Chennai – 98.

- 2.Bajaj Alliance General Insurance Company Ltd.,
No.497/498, 5th Floor, Isana Kattima Building,
P.H.Road, Chennai – 600 106.

... Respondents

This case came up for settlement before the National Lok Adalat. Both the parties are present. **Mr.Amar Dineshbhai Pandiya**, the learned counsel for the Appellant(s) and **Mr.J.Michael Visvasam**, the learned counsel for the first respondent(s) are present. After mutual discussion, negotiation, mediation and conciliation between both the parties, they arrived at a compromise to settle the matter as follows:-



TERMS OF SETTLEMENT

The appeal is at the instance of the legal heirs of the deceased Ramesh. The 1st appellant is the wife and the 2nd and 3rd appellants are children of the deceased and the 4th appellant is the mother of the deceased.

2.Today, a memo has been filed before this Court on behalf of the appellants stating that the 4th appellant died on 07.12.2023, pending appeal and a copy of the Death Certificate is also attached along with the memo. The said memo is recorded.

3.It is reported that the Tribunal has awarded a total compensation of Rs.24,76,300/-, out of which, the 4th appellant's share of Rs.2,00,000/-, as apportioned by the Tribunal has been already withdrawn by her. Therefore, in respect of award enhanced herein is to be apportioned among the appellants 1 to 3, namely the wife and the children of the deceased.

4.The parties have amicably arrived at a settlement of Rs.6,00,000/- over and above the award amount awarded by the Tribunal in M.C.O.P.No.1416 of 2018 in full quit.

5.The 2nd respondent/Insurance Company is directed to deposit the enhanced compensation award amount of Rs.6,00,000/- to the credit of M.C.O.P.No.1416 of 2018, within a period of **eight weeks**, from today. On such deposit, the 1st appellant is entitled to Rs.4,00,000/- and the 2nd and 3rd appellants are entitled to Rs.1,00,000/- each. The share of the minor appellants shall be deposited in the any one of the Nationalized banks and the first appellant is permitted to withdraw the interest amount once in every three months and upon their attaining majority, the minor appellants are permitted to withdraw their share awarded by the Tribunal as well in the Appeal. The 1st appellant is permitted to withdraw her enhanced compensation award, without filing any formal petition, before the competent Court. No order as to costs in this appeal, award is passed accordingly.



1.Chellakili

2.Minor Ajay

3.Minor Archana

...Counsel for the Appellants

Bajaj Alliance General Insurance Company Ltd.,
No.497/498, 5th Floor, Isana Kattima Building,
P.H.Road, Chennai – 600 106.

...Counsel for 2nd respondent

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

The full Court fees paid shall be refunded to the parties in the manner provided under 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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P.B.BALAJI
ata/sli

To: The parties/Advocate concerned
Copy to:

1. The Motor Accident Claims Tribunal/Special Sub Court No.II, Motor Accidents Claims Petitions) 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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14.12.2024