



C.M.A.No.2942 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)

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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.2942 of 2022

(Appeal against the judgement and decree, dated 13.09.2022 passed in
M.C.O.P. No.1722 of 2019 passed by the Motor Accidents Claims Tribunal,
(II Additional Sub Court, Cuddalore)

The Branch Manager
The Oriental Insurance Company Ltd.
Opp. Cuddalore N.T.Police Station,
Bharathi Road, Cuddalore

... Appellant

Vs

1. M. Shankar
2. D. Nagaraj
3. P. Sangunthala
4. The Division Managaer,
The New India Assurance Company Limited,
No. 1, Bharathi Road,
Arcot Woodlands Building Campus,
Cuddalore.

... Respondents



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This case came up for settlement before the Lok Adalat. Both parties present. Mr.D.Bhaskaran, learned counsel for the appellant and Mrs. Ramya V. Rao, learned counsel for the 1st respondent 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.20,28,448/-, this appeal is preferred by the Insurance Company.

(ii) As against the Award amount of Rs.20,28,448/- with interest of 7.5% p.a, the parties have agreed to settle for a sum of Rs.17,00,000/- with proportionate interest and cost.

(iii) The appellant/Insurance Company agreed to deposit the entire Award amount of Rs.17,00,000/- 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 1st respondent/claimant is entitled to withdraw the entire sum without any formal application and only upon verification of the identity.



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The Branch Manager
The Oriental Insurance Company Ltd.

Counsel for Appellant

1. M. Shankar
2. D. Nagaraj (Ex-Parte)
3. P. Sangunthala (Ex-Parte)
4. The Division Managaer,
The New India Assurance Company Limited,
No. 1, Bharathi Road,
Arcot Woodlands Building Campus,
Cuddalore. (Given up)

Counsel for 1st 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 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.



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Judge

Member

Member

To: The parties/Advocate concerned

Copy to:

- 1.The Motor Accidents Claims Tribunal, II Additional Sub Court, Cuddalore.
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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Dr. JUSTICE S.VIMALA

gya/nsl

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14.09.2024