

**HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU
BEFORE THE NATIONAL LOK ADALAT**

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF FEBRUARY, 2023

CONCILIATORS PRESENT:

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

&

SRI. VIJAYAKUMAR MAJAGE, MEMBER

**M.F.A.No. 2393/2022(MV-D)
(Lok Adalat No.661/2023)**

BETWEEN:

1. KALAVATHI
W/O LATE MAHADEVASWAMY
AGED ABOUT 33 YEARS.
2. MANASA
D/O LATE MAHADEVASWAMY
AGED ABOUT 10 YEARS,
3. KEERTHANA
D/O LATE MAHADEVASWAMY
AGED ABOUT 8 YEARS
4. MAHADEVAMMA
W/O LATE SANNAIAH
AGED ABOUT 64 YEARS,

ALL ARE R/AT KANENOORU VILLAGE AND POST,
HULLAHALLI HOBLI, NANJANGUD TALUK,
MYSURU DISTRICT-571 301
SINCE APPELLANT NO.2 AND 3 ARE MINORS,
THEY ARE REPRESENTED BY THEIR NATURAL GUARDIAN
MOTHER KALAVATHI AS NEXT FRIEND.

APPELLANTS

(BY SRI/SMT. SUMA K, ADVOCATE);

AND:

1. SANTHOSH KUMAR K V
S/O VRISHABENDRASWAMY K.V. MAJOR
R/AT NO.584, KUDERU VILLAGE, SANTHEMARAHALLI,
CHAMARAJANAGAR TALUK-571 115.
- 2 K M SHIVANNA
S/O K S MADAPPA, MAJOR
R/AT NO.116, KEREHUNDI VILLAGE, NANJANGUD TALUK,
MYSURU DISTRICT-571 301
- 3 ROYAL SUNDARAM ALLIANCE
GENERAL INSURANCE COMPANY LIMITED
NO.133, 3RD FLOOR, SHIKA TOWERS, RAMAVILAS ROAD,
MYSURU-570 004.

... RESPONDENTS

(BY SRI.H.S.LINGARAJ, ADVOCATE FOR R3)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 18.11.2021 PASSED IN MVC NO.242/2017 ON THE FILE OF THE PRL. SMALL CAUSES AND SENIOR CIVIL JUDGE AND MACT, MYSURU, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS APPEAL COMING ON FOR CONCILIATION BEFORE NATIONAL LOK ADALAT, THE FOLLOWING CONCILIATION ORDER IS PASSED.

CONCILIATION ORDER

The learned Counsel appearing for the Appellants - Claimants are present.

The learned Counsel appearing for the Respondent – Insurance Company along with its representative are present.

2. After prolonged negotiations, the matter is settled. A joint memo signed by the learned advocate appearing for the appellants/claimants (being authorized by the appellants/claimants to sign) and the learned advocate appearing for the respondent-

Insurance Company and its authorized officer is filed. The appellants-claimants have agreed to receive and the respondent -Insurance Company has agreed to pay a lump-sum of Rs.7,50,000/- (Rupees Seven Lakhs Fifty Thousand only), in addition to what has been awarded by the Tribunal, in full and final settlement of the claim.

3. The Respondent - Insurance Company has agreed to deposit the said amount before the Tribunal within six weeks from the date of preparation of award, failing which the said amount shall carry interest at the rate of 9% P.A. from the date of default, till the date of deposit.

4. The apportionment, deposit and release of the enhanced compensation amount shall be made in terms of the Judgment and Award passed by the Claims Tribunal.

5. This Miscellaneous First Appeal stands disposed of in terms of the Joint memo. The Judgment and Award of the Tribunal shall stand modified accordingly.
Draw up the Award accordingly.

**Sd/-
JUDGE**

**Sd/-
MEMBER**

URN