

HIGH COURT LEGAL SERVICES COMMITTEE,
BENGALURU

BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 8TH DAY OF SEPTEMBER, 2018

CONCILIATORS PRESENT:

THE HON'BLE MR. JUSTICE R DEVDAS

AND

SRI RACHAIAH, MEMBER

Miscellaneous First Appeal No.2112 of 2012 (MV)
Lok Adalat No.582 of 2018

BETWEEN:

Sri Naveen Kumar M
s/o late S Balachandra Bhagat
Aged about 39 years
r/a Chytra, Near Parl
Madras, Post:Kavumbhagam
Kolassery, Thalassery
Kerala State – 670 642. ... Appellant

(By Sri Aruna Shyam, Advocate)

AND:

1. Mrs.B Fathima, w/o A Ibrahim
Aged about 48 years
r/a House No.16-5-347/1
High Land, Vaslane
Mangalore-575004.
2. The National Insurance Co. Ltd.,
P M Rao Road, Mangalore-575002. .. Respondents

(By Sri P B Raju, Advocate for R2,
Notice to R1 D/W)

This MFA is filed under Section 173(1) of MV Act against the judgment and award dated 9.11.2011 passed in MVC No.1248/2009 on the file of the I Additional District Judge, Member, MACT-II, Dakshina Kannada, Mangalore, partly allowing the claim petition for compensation and seeking enhancement of compensation.

This appeal coming on for conciliation this day, **R DEVDAS J.**, delivered the following:-

CONCILIATION ORDER

The learned counsel for the claimant – appellant and the learned counsel for the Insurance Company along with its representative are present.

2. After prolonged negotiations, the matter is settled. The appellant – claimant has agreed to receive and the respondent – Insurance Company has agreed to pay a lump sum of Rs.30,000/- (Rupees thirty thousand only), in addition to what has been awarded by the Tribunal, in full and final settlement of the claim. A joint memo is filed on behalf of the parties to this effect.

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 entire enhanced compensation amount shall be released in favour of the appellant.

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

Bkm.