

HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU

BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 19TH DAY OF SEPTEMBER, 2016

CONCILIATORS PRESENT:

THE HON'BLE MR.JUSTICE B.VEERAPPA

AND

SMT. H.R. RENUKA, MEMBER

MISCELLANEOUS FIRST APPEAL NO. 3541/2015 (MV)

(LOK ADALAT NO. 3987/2016)

BETWEEN:

Sreenivasa S/o Kannan,
Aged about 46 years,
R/o Siddeswara Nilaya,
Bandigowda Layout,
Mandya City – 571 406.

... APPELLANT

(By Sri. Sreenivasan M.Y., Advocate)

AND:

1. Mrs. Heerabai Dnyaneshwar Jagtap,
A/P Hingane Mala,
Hadapsar,
Pune – 400 028.
2. The Branch Manager,
New India Assurance Company Limited,
No.1200, 2nd Cross,
Ashokanagar,
Mandya – 571 401,
Now transferred to

JLB Road, Chamundipuram,
Mysore – 570 020.

... RESPONDENTS

(By Sri. S.V. Hegde Mulkhand, Advocate for R-2,
Notice to R-1 – D/w v.c.o. dt. 20.7.2016)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 09.01.2015 PASSED IN MVC NO. 413/1999 ON THE FILE OF THE PRL. SENIOR CIVIL JUDGE AND MACT, MANDYA, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS MISCELLANEOUS FIRST APPEAL COMING ON FOR CONCILIATION BEFORE THE LOK ADALAT, THE FOLLOWING ORDER IS PASSED:

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. 50,000/- (Rupees Fifty 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 deposit.

4. On deposit, the entire enhanced compensation shall be released in favour of the appellant-claimant, on proper identification.

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.

Office to draw up the award accordingly.

Sd/-
JUDGE

Sd/-
MEMBER

Rbv*