

HIGH COURT LEGAL SERVICES COMMITTEE, BANGALORE

BEFORE THE BRUHAT LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 18<sup>th</sup> DAY OF NOVEMBER, 2005

CONCILIATORS PRESENT:

HON'BLE MR.JUSTICE H.BILLAPPA

AND

SRI. K.SURYANARAYANA RAO, MEMBER

Miscellaneous First Appeal No.5046/2002

Lok Adalat No.1070/2005

BETWEEN:

Sri.L.Raja,  
S/o.Lakshman Rao,  
Age: 29 years,  
Occ: Mason,  
R/o.Manjunatha Extension,  
Millaghatta, Shimoga,  
Tq: & Dist. Shimoga.

..APPELLANT

(By Sri.S.V.Prakash, Adv.)

AND:

1. Ramachari,  
S/o.Rudra Pujari,



Major,  
R/o.Sakal, Hosanagar Taluk,  
Shimoga District,  
(Driver of the lorry bearing  
regn. No.KA-20/6666)

2. K.Bujanga Hegde,  
S/o.not known,  
Major,  
Proprietor,  
Lakshmikanth Enterprises,  
Nedera Hobli,  
Kundapura,  
South Canara District,  
Owner of lorry bearing  
Regn. No.KA-20/6666.

3. M/s.Oriental Insurance Co.Ltd.,  
Park Extension, Shimoga City,  
District- Shimoga,  
Rep. by its Branch Manager.      ..RESPONDENTS

(By Sri.S.N.Sathyanarayana, Adv. for R3)

THIS MFA FILED U/S.173(1) OF MV ACT AGAINST  
THE JUDGMENT AND AWARD DATED 14.02.2002 PASSED  
IN MVC NO.1812/95 ON THE FILE OF THE ADDL.CIVIL  
JUDGE (SR.DN.) & ADDL. MACT, SHIMOGA, PARTLY  
ALLOWING THE CLAIM PETITION FOR COMPENSATION  
AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS APPEAL COMING ON FOR CONCILIATION  
BEFORE BRUHAT LOK ADALAT AFTER BEING REFERRED



VIDE ORDER DATED 7-3-2005, THE FOLLOWING ORDER  
IS PASSED.

\* \* \*

**CONCILIATION ORDER**

The learned counsel for the appellant, learned  
counsel for the respondent No.3 and the representative of  
the respondent No.3- Insurance Company are present.

2. They have filed a joint memo stating that the  
appellant has agreed to receive a sum of Rs.49,600/-  
(Rupees Forty Nine Thousand Six Hundred only) in  
addition to the amount awarded by the Tribunal in full  
and final settlement of his claim and that the respondent  
No.3-Insurance Company has agreed to deposit the said  
amount before the Tribunal within six weeks from the  
date of preparation of <sup>the</sup> award and failing which the said  
amount shall carry interest at the rate of 9% <sup>p.a.</sup> from the  
date of default till the date of deposit.



3. The settlement arrived at between the parties is just and fair and it is in the best interest of both the parties and hence accepted.

4. Accordingly, the Judgment and Award dated 14-2-2002 passed in MVC.No.1812/95 on the file of the Additional Civil Judge (Senior Division) & Additional MACT, Shimoga, is modified in terms of the Joint Memo. The Tribunal shall release the entire amount of Rs.49,600/- in favour of the appellant. Draw up the Award accordingly.

Sd/-  
Judge

Sd/-  
MEMBER

Bss.