

HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU  
BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 12<sup>TH</sup> DAY OF DECEMBER 2015

CONCILIATORS PRESENT:

HON'BLE MRS. JUSTICE RATHNAKALA  
&  
SMT.PRABHA MURTHY, MEMBER

**M.F.A. No.4184/2012 (MV)**  
*(Lok Adalat No.2679/2015)*

**BETWEEN:**

SRI MUNIRAJU S/O DEVAGIRI  
AGED ABOUT 36 YEARS  
NO.34, 20<sup>TH</sup> MAIN, BTM II STAGE,  
OPP. INDIAN GAS  
BANGALORE – 560 038.

...APPELLANT

(BY SMT.BHUSHANI KUMAR, ADVOCATE)

**AND:**

1. SRI K.SHIVAGURUNATHAN  
PROP: M/S GURU TRANSPORTS  
NO.5, SEETHAPATHI AGRAHARA,  
NEW THARAGUPET,  
BANGALORE – 560 038.
2. THE MANAGER  
ICICI LOMBARD GENERAL INSURANCE CO. LTD.,  
ICICI COMPLEX,  
NEXT TO CENTRAL SHOPPING COMPLEX,  
MARGATH ROAD  
BANGALORE.

...RESPONDENTS

(BY SRI B.PRADEEP, ADVOCATE. FOR R2;  
NOTICE TO R1 IS DISPENSED WITH V/O DTD:20/02/2015)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 4.11.2011 PASSED IN MVC NO.3865/2010 ON THE FILE OF XI ADDITIONAL JUDGE AND MACT, COURT OF SMALL CAUSES, BANGALORE, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THE MFA COMING ON FOR CONCILIATION BEFORE LOK ADALAT AFTER BEING REFERRED BY THE COURT, THE FOLLOWING CONCILIATION ORDER IS PASSED.

### **CONCILIATION ORDER**

Learned Counsel for the appellant/claimant and the learned Counsel for the Insurance Company along with their representative are present.

2. After prolonged negotiations, the matter is settled. The appellant/claimant has agreed to receive and the respondent No.2/Insurance Company has agreed to pay a lump sum of Rs.80,000/- (Rupees Eighty 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 No.2/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% per annum from the date of default, till the date of deposit.

4. The entire enhanced amount of Rs.80,000/- shall be released in favour of the appellant.

5. Accordingly, this 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**

JTR