

HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU

BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 14TH DAY OF MARCH, 2016

CONCILIATORS PRESENT :

THE HON'BLE MR. JUSTICE RAM MOHAN REDDY

AND

MR. M.N. UMASHANKAR, MEMBER

M.F.A.NO.10855 OF 2012 (MV)

Lok Adalat No.4183 OF 2014

Between:

Lokanath R, Aged about 50 years,
S/o Chandran, Resident of Lakshmisagar,
Kanhagad, Hosadurga Taluk,
Kasargod District, Kerala – 671 121. ... Appellant

(By Shri. T.I. Abdulla, Advocate)

And:

1. Sri. Jarappa Naika, Aged about 52 years,
S/o Teela Naika, Resident of Sera House,
Kodappady Village,
Puttur Taluk, D.K. District-574 201.
2. The Depot Manager,
K.S.R.T.C., Puttur Depot, Puttur Taluk,
D.K. District-574 201. ... Respondents

(By Shri. K.N. Dayalu, Advocate for R-2)

This MFA is filed U/S 173(1) of MV Act against the Judgment and Award dated: 24.12.2011 passed in MVC No.14/2007 on the file of the Member, M.A.C.T., Puttur, D.K., partly allowing the claim petition for compensation and seeking enhancement of compensation.

This MFA coming on for conciliation before Lok Adalat, after being referred by the Court, the following Conciliation Order is passed.

CONCILIATION ORDER

The learned counsel for the appellant and for the 2nd respondent and its representative are present.

2. After due deliberation in the matter, they have arrived at a settlement. The 2nd respondent has agreed to pay Rs.1,50,000/- (Rupees One lakh fifty thousand Only) with interest at 6% p.a. from the date of petition till the date of deposit, in addition to what is awarded by the Tribunal. Appellant has agreed to receive the said amount in full and final settlement of his claim.

3. The 2nd respondent has agreed to deposit the amount before the Tribunal within six weeks from the date of preparation

of the award, failing which the amount shall carry interest at 9% per annum from the date of default, till the date of deposit.

4. Parties have filed a Joint Memo recording the terms of settlement, which is in the best interest of the parties and hence, accepted.

5. The Judgment and Award dated 24.12.2011 in MVC No.14/2007 of the M.A.C.T., Puttur, D.K., is modified in terms of the Joint Memo.

The Judgment and Award of the Tribunal, insofar as it relates to deposit and release is concerned, shall remain unaltered.

Draw up the award accordingly.

Sd/-
JUDGE

Sd/-
MEMBER

Rbv*