

HIGH COURT LEGAL SERVICES COMMITTEE,  
DHARWAD BENCH

Before the Lok Adalat

IN THE HIGH COURT OF KARNATAKA  
DHARWAD BENCH

Dated this the 30<sup>TH</sup> day of September, 2021

Conciliators Present

THE HON'BLE MR.JUSTICE S.VISHWAJITH SHETTY

and

SRI LAXMAN T.MANTAGANI, MEMBER

Miscellaneous First Appeal No.100233/2020 (MV)  
Lok Adalat No.1446/2021

BETWEEN:

Sri Shivananda, S/o Hanumanthappa Kolachi,  
Age: 31 years, Occ: Agriculture & Coolie,  
R/o Bannimatti, Tq: Huvinahadagali,  
Dist: Ballari, Now at: Shivajinagar,  
2<sup>nd</sup> Cross, Ranebennur, Dist: Haveri. ..APPELLANT

(By Sri Chandrashekhar M.Hosamani, Adv.)

AND:

1. Mr. Jayakumar.A.S.,  
S/o late Shrikantaiah.A.B.,  
Age: Major, Occ: Business,  
R/o # 230, Manchanabele  
Punarvasathi Colony,  
Dasanapur Hobli, Kadabagere Post,  
Bengaluru – 562 130.  
(Owner of the Vehicle No.KA-41/B-0378)

2. The Divisional Manager,  
Oriental General Insurance Co. Ltd.,  
Enaky Complex, Keshwapur,  
Hubballi – 580 023. ..RESPONDENTS

(By Sri M.Y.Katagi, Adv. for R-2; R-1 – notice d/w)

THIS MFA IS FILED U/S 173(1) OF MV ACT 1988, AGAINST THE JUDGMENT AND AWARD DATED 06.11.2019 PASSED IN M.V.C. NO.966/2018 ON THE FILE OF THE III ADDL. SENIOR CIVIL JUDGE & ADDL. MACT, RANEBENNUR, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSTAION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS MFA COMING ON FOR CONCILIATION BEFORE LOK ADALAT AFTER BEING REFERRED VIDE ORDER DATED 04.08.2021, THE FOLLOWING ORDER IS PASSED:

**CONCILIATION ORDER**

The learned counsel for the appellant and the representative of Respondent-Insurance Company along with its counsel 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 global compensation of Rs.1,35,000/- (Rupees one lakh thirty five 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. The same is accepted.

3. The said amount shall be released in favour of the claimant.

4. 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.

5. The Miscellaneous First Appeal stands disposed of in terms of the Joint Memo. The award of the Tribunal shall stand modified accordingly. Draw up the award accordingly.

Sd/-  
JUDGE

Sd/-  
MEMBER

KK