

HIGH COURT LEGAL SERVICES COMMITTEE
DHARWAD BENCH

BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA
DHARWAD BENCH

DATED THIS THE 18TH DAY OF DECEMBER, 2021

CONCILIATORS PRESENT

THE HON'BLE MR. JUSTICE RAVI V.HOSMANI
AND
SHRI MRUTYUNJAY TATA BANGI, MEMBER

MISCELLANEOUS FIRST APPEAL NO.102192/2020 (MV)
LOK ADALAT NO.1686/2021

BETWEEN:

1. SMT.JOTHI,
W/O VEERABHADRA DODAMANI
AGE: 23 YEARS, OCC: HOUSEHOLD
2. TANUSHRI,
D/O VEERABHADRA DODAMANI
AGE: 5 YEARS, OCC: NIL
3. NIRMALA,
D/O VEERABHADRA DODAMANI
AGE: 3 YEARS, OCC: NIL
4. SMT.BASAVVA,
W/O YALLAPPA DODDAMANI,
AGE: 47 YEARS, OCC: HOUSEHOLD.

ALL ARE R/O AT POST: BUDARKATTI,
TQ: BAILHONGAL, DIST: BELAGAVI.

(APPELLANTS NO.2 AND 3 ARE MINORS
R/BY THEIR NEXT FRIEND NATURAL
MOTHER I.E. APPELLANT NO.1)

...APPELLANTS

(BY SRI CHANDRASHEKHAR S.NAGASHETTI, ADVOCATE)

AND:

1. V.SUPRIYA W/O VISHAMOORTH
AGE: 47 YEARS, OCC: BUSINESS
R/O H.NO.10, SSS BUILDING,
1ST MAIN, A.V. ROAD,
CHAMARAJPETH,
BENGALURU-560018.
2. THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE COMPANY LTD.,
ANKOLA ARCADE,
OPP: DISTRICT COURT,
DHARWAD-580001.

...RESPONDENTS

(BY SRI RAJASHEKHAR S.ARANI, ADVOCATE FOR R2;
NOTICE TO R1 DISPENSED WITH)

THIS MISCELLANEOUS FIRST APPEAL IS FILED
UNDER SECTION 173(1) OF MOTOR VEHICLES ACT, 1988
AGAINST THE JUDGMENT AND AWARD DATED 08.07.2019
PASSED IN MVC NO.05/2018 ON THE FILE OF THE II
ADDL. SENIOR CIVIL JUDGE AND ADDL.MACT, DHARWAD,
BY ALLOWING THIS APPEAL, ETC.,.

THIS APPEAL COMING ON FOR CONCILIATION
BEFORE LOK ADALAT AFTER BEING REFFERED BY THE
COURT, THE FOLLOWING CONCILIATION ORDER IS
PASSED:

CONCILIATION ORDER

The learned counsel for the appellants and the
representative of Respondent-Insurance Company along
with its counsel are present.

2. After prolonged negotiations, the matter is settled. The appellants-claimants have agreed to receive and the Respondent-Insurance Company has agreed to pay a global compensation of Rs.5,80,000/- (Rupees five lakh 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. Same is accepted.

3. Out of enhanced compensation, Rs.3,00,000/- is ordered to be released in favour of claimants no.1 and 4 equally. Remaining amount is ordered to be kept in fixed deposit in the same proportion as ordered by tribunal.

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

CLK