

HIGH COURT LEGAL SERVICES COMMITTEE,  
DHARWAD BENCH

BEFORE THE LOK ADALATH

IN THE HIGH COURT OF KARNATAKA,  
DHARWAD BENCH

DATED THIS THE 11<sup>TH</sup> DAY OF MARCH, 2017

CONCILIATORS PRESENT:

**THE HONOURABLE Dr. JUSTICE H.B.PRABHAKARA SASTRY**  
**AND**  
**SHRI SHIVAKUMAR S. BADA WADAGI, MEMBER**

M.F.A.No.102264/2015 [MV]  
(Lok Adalat No.96/2017)

BETWEEN

1. T.RAJASHEKAR, S/O T. NARAYANAPPA ,  
AGE: 43 YEARS,  
OCC: TAILOR
2. T.NAGAMANI , W/O T. RAJASHEKAR,  
AGE: 39 YEARS,  
OCC: HOUSEWIFE
3. KUMARI T. PAVITRA, D/O T.RAJASHEKAR,  
18 YEARS, STUDENT,

ALL ARE RESIDENTS OF WARD NO.30,  
VINAYAKA NAGAR, BELLARI.

... APPELLANTS

(By Sri./Smt : HANUMANTHAREDDY SAHUKAR)

AND

1. SRI. KENCHAPPA , S/O POMPAPATHY,  
AGE: MAJOR, OCC: DRIVER OF THE LORRY  
NO. KA 35/A 937  
R/O VITTALAPURA VILLAGE AND POST,  
TALUK SANDUR, DIST : BALLARI.
2. SRI. T G SOMASHEKAR, S/O. LINGAPPA,  
AGE: MAJOR  
OCC: OWNER OF THE LORRY BEARING  
NO. KA-35/A 937,  
R/O LINGADAHALLI VILLAGE  
ANANTHAPURA POST,  
TALUK SANDUR  
DIST: BALLARI
3. THE DIVISIONAL MANAGER,  
SRIRAM GENERAL INSURANCE CO. LTD.,  
SITAPUR JAIPUR, RAJASTAN STATE

... RESPONDENTS

(By Sri./Smt : NAGARAJ C. KOLLOORI,ADVOCATE FOR R3)

THIS MFA IS FILED U/S.173(1) OF MOTOR VEHICLES ACT 1988, AGAINST THE JUDGMENT & AWARD DATED: 04.02.2011, PASSED IN MVC.NO.971/2010, ON THE FILE OF THE MOTOR ACCIDENTS CLAIM TRIBUNAL-IX, BELLARI, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

The appeal being referred to Lok Adalat on 02/03/2017, coming on for conciliation, this day, the Lok Adalat passed the following:

**CONCILIATION ORDER**

The matter was taken up in Lok Adalath.

2. Both side present.
3. Conciliation was held.
4. Learned counsels appearing for the claimant and the respondent-Insurance Company have filed a Joint Memo, settling the matter for Rs.2,60,000/- ( Two lakhs sixty thousand Rupees only) as enhancement in addition to what has been awarded by the MACT below.
5. Perused the said Joint Memo, the same is acceptable.
6. The respondent No.3 has agreed to deposit the said amount before the Tribunal, within Six weeks from the date of preparation of the 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.
7. Parties are not entitled to any costs.

8. The terms of the joint memo is agreed to be full and final settlement between the parties with their free will and consent.

9. The apportionment, release and fixed deposit, if any, would be in accordance with terms of the original award.

The appeal is settled and stands disposed off on the above terms.

Draw the award, accordingly.

**Sd/-  
JUDGE**

**Sd/-  
MEMBER**

\*Hmb/-