

HIGH COURT LEGAL SERVICES COMMITTEE,
DHARWAD BENCH

**BEFORE THE LOK ADALAT
IN THE HIGH COURT OF KARNATAKA
DHARWAD BENCH**

DATED THIS THE 3RD DAY OF NOVEMBER 2016

CONCILLIATORS PRESENT

THE HON'BLE MR.JUSTICE B.MANO HAR

AND

SMT.ANURADHA DESHPANDE, MEMBER

MFA NO.23588/2012 (MV) (LOK ADALAT NO.766/2016)

BETWEEN

SHRI KANAKAPPA @ KAMBANNA,
S/O: HANAMANTAPPA DASAR,
AGE 31 YEARS, OCC: COOLIE NOW NIL,
R/O: HOLE-ALUR, TALUK: RON,
DIST: GADAG.

... APPELLANT

(BY SRI.SANJAY S.KATAGERI, ADVOCATE)

AND

1. THE MANAGING DIRECTOR,
NEKRTC, GULBARGA DIVISION, GULBARGA.
THROUGH ITS DIVISIONAL CONTROLLER,
NEKRTC, BIJAPUR DIVISION BIJAPUR.
2. THE GROUP INSURANCE FUND,
NEKRTC, BIJAPUR DIVISION, BIJAPUR.

... RESPONDENTS

(BY SRI.RAVI V.HOSAMANI, ADVOCATE FOR R2;
RESPONDENT NO.1 - SERVED)

THIS MFA IS FILED U/SEC.173(1) OF MV ACT, 1988, AGAINST
THE JUDGMENT AND AWARD DATED 31.12.2011 PASSED IN
MVC.NO.818/2011 ON THE FILE OF THE SENIOR CIVIL JUDGE AND

MEMBER, ADDL. MACT, RAMDURG, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS MFA COMING ON FOR CONCILIATION BEFORE LOK ADALAT AFTER BEING REFERRED VIDE ORDER DATED 07.09.2016, THE FOLLOWING ORDER IS PASSED:

CONCILIATION ORDER

The learned counsel appearing for the appellant and learned counsel appearing for the respondents – NEKRTC along with their representatives are present.

2. After prolonged negotiations, the matter is settled. The appellant/claimant has agreed to receive and the respondents – NEKRTC has agreed to pay a global compensation of Rs.1,10,000/- [Rupees one lakh ten 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 respondents – NEKRTC has agreed to deposit the said amount before the Tribunal within four months from the date of preparation of award, failing which the said amount shall carry interest at 9% p.a. from the date of default, till the date of deposit. The parties are not entitled to any cost.

4. On deposit of the said amount, the entire sum shall be released in favour of the appellant/claimant.

5. This 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

Vnp*