

HIGH COURT LEGAL SERVICES COMMITTEE,
DHARWAD BENCH

BEFORE THE LOK ADALATH

IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH

DATED THIS THE 09TH DAY OF DECEMBER, 2017

CONCILIATORS PRESENT:

**HON'BLE MRS.JUSTICE S.SUJATHA
AND
SMT.ANURADHA DESHPANDE, MEMBER**

M.F.A.No.103073/2015 [MV]
(Lok Adalat No.1100/2017)

BETWEEN :

SHRI SHAKIL BASHA @ SHAKIR BASHA,
S/O NANNE SAB, AGE: 46 YEARS,
OCC: NIL, R/O: NOW PRESENTLY AT
VADDARABANDE, BALLARI.

... APPELLANT

(BY SRI T.HANUMAREDDY AND
SRI ANJANEYA M., ADV.)

AND :

1. SHRI B SARADARA S/O BUDEN SAB,
AGE: 27 YEARS, OCC: DRIVER,
R/O: KALLAMARANA HALLI VILLAGE,
TQ: CHALLAKERE, DIST: CHITRADURGA.
2. SMT.N BHARATI W/O G.N. THIPPESWAMY,
AGE: 31 YEARS, OCC: OWNER,
WARD NO.17, VINAYAKA EXTENSION,
HOSADURGA, DIST: CHITRADURGA.

3. THE DIVISIONAL MANAGER,
ORIENTAL INSURANCE COMPANY LTD.,
OPP: BALA REGENCY HOTEL,
PARVATHI NAGAR, BALLARI. ...RESPONDENTS

(BY SRI R.R.MANE, ADV. FOR R3, SRI S.S. KOLIWAD, ADV. FOR R3;
SRI SUNIL S.DESAI, ADV. FOR R2)

THIS MFA IS FILED U/S 173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 27.08.2015 PASSED IN MVC NO.1111/2014 ON THE FILE OF THE MEMBER III MOTOR ACCIDENT CLAIM TRIBUNAL AT BALLARI, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THE APPEAL BEING REFERRED TO LOK ADALAT ON 22.09.2017, COMING ON FOR CONCILIATION, THIS DAY, THE LOK ADALAT PASSED THE FOLLOWING:

CONCILIATION ORDER

The learned counsel for the claimant-appellant and the learned counsel for the Insurance Company along with its representative 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 lump sum of Rs.90,000/- (Rupees ninety 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 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.

4. The entire enhanced compensation shall be released in favour of the appellant.

5. This miscellaneous first appeal stands disposed of in terms of the Joint memo. The Judgment and Award of the Tribunal shall stand modified accordingly. Draw up the Award accordingly.

**Sd/-
JUDGE**

**Sd/-
MEMBER**

jm/-