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HIGH COURT LEGAL SERVICES COMMITTEE, DHARWAD  
BEFORE THE LOK ADALATH

IN THE HIGH COURT OF KARNATAKA  
DHARWAD BENCH

DATED THIS THE 08<sup>TH</sup> DAY OF SEPTEMBER, 2018

CONCILIATORS PRESENT:

HON'BLE MR. JUSTICE K.SOMASHEKAR  
AND  
SMT.ANURADHA DESHPANDE, MEMBER

M.F.A. NO.103728/2017 (MV)  
(LOK ADALAT NO.678/2018)

BETWEEN

SRI.BASAVARAJ S/O APPASAHEB DESAI  
AGE: 44 YEARS, OCC: AGRICULTURE &  
VEGETABLE VENDING, NOW NIL,  
R/O: NAGANOR K.M., TQ: HUKKERI-591254,  
DIST: BELAGAVI.

... APPELLANT

(BY SMT. GEETHA K.M. @ PAWAR, ADV.)

AND

1. SRI.BASAVARAJ B. PATIL  
AGE: MAJOR, OCC: NOT KNOWN,  
R/O: NAGANOR K.M., TQ: HUKKERI-591254,  
DIST: BELAGAVI.
2. THE ORIENTAL INSURANCE COMPANY LTD.,  
2<sup>ND</sup> FLOOR, DHAMANER ARCADE,  
OPPOSITE CIVIL HOSPITAL, BELAGAVI-590010,  
REPRESENTED BY THE DIVISIONAL MANAGER,  
BELAGAVI, D.O. AT MADIWALE ARCADE,  
CLUB ROAD, BELAGAVI-590001.

... RESPONDENTS

(BY SRI. S.K.KAYAKAMATH, ADV. FOR R2,  
R1 SERVED)

: 2 :

THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLE ACT, 1988, AGAINST THE JUDGEMENT AND AWARD DATED 16.12.2016 PASSED IN MVC NO.648/2015 ON THE FILE OF THE V ADDL. DISTRICT AND SESSIONS JUDGE AND MEMBER, MACT VI, BELAGAVI, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS MFA COMING ON FOR CONCILIATION BEFORE LOK ADALATH THE FOLLOWING CONCILIATION 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.65,000/- (Rupees Sixty 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 entire amount shall be released in favour of the claimant.

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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 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.

Amount in deposit, if any, shall be transmitted to the concerned Court for disbursement forthwith.

Sd/-  
JUDGE

Sd/-  
MEMBER

Rsh