

HIGH COURT LEGAL SERVICES COMMITTEE,
DHARWAD BENCH
BEFORE THE LOK ADALATH
IN THE HIGH COURT OF KARNATAKA,
DHARWAD BENCH

DATED THIS THE 12TH DAY OF MARCH, 2022

CONCILIATORS PRESENT:

HON'BLE MRS.JUSTICE K.S. HEMALEKHA
AND
SMT. ANURADHA R.DESHAPANDE, MEMBER

M.F.A.No.100908/2021
Lok Adalat No.480/2022

BETWEEN:

NANDISH S/O. SHEKHARAPPA
AGE. 36 YEARS, OCC. COOLIE AND MASON WORK,
R/O. NEERALAGI VILLAGE, TQ. SHIKARIPURA,
DIST. SHIVAMOGGA, NOW AT KANTIBEERESHWAR NAGAR, 2ND
CROSS, RANEBENNUR, DIST. HAVERI.

...APPELLANT

(BY SRI.C.M.HOSAMANI, ADVOCATE)

AND:

1. SURESH BHANUSHALI S/O CHATRABHOJ
AGE. 43 YEARS, OCC. BUISNESS,
R/O. VARADASHREE BUILDING,
10TH CROSS, PRAGATI NAGAR,
SIRSI 581401, TQ. SIRSI,
(OWNER OF THE i10 CAR BEARING REG.NO.KA-31/M-8791)
2. THE DIVISIONAL MANAGER
NEW INDIA ASSURANCE CO.LTD.,
A M ARCADE, NEAR VIDYARTHI BHAVAN,
C G HOSPITAL ROAD, DAVANAGERE 5770001,
(INSURER OF THE i10 CAR BEARING REG.NO.KA-31/M-8791)
(POLICY NO.6801003119010000097)
(VALID FROM 11-04-2019 TO 10-04-2020)

....RESPONDENT

(R-1 N/D/W) (BY SRI.M.Y.KATAGI., ADVOCATE AND SMT. PREETI
SHASHANK., ADVOCATE)

THIS MFA FILED U/S.173 (1) OF MOTOR VEHICLES ACT, 1988,
AGAINST THE JUDGMENT AND AWARD DATED 01.04.2021 PASSED IN
MVC NO.277/2020 ON THE FILE OF THE II ADDITIONAL SENIOR CIVIL
JUDGE AND ADDITIONAL MOTOR ACCIDENT CLAIMS TRIBUNAL,
RANEBENNUR, PARTLY ALLOWING THE CLAIM PETITION FOR
COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

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.31,000/- (Rupees Thirty One 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. The said amount shall be released in favour of the claimant.

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

PJ