

**HIGH COURT LEGAL SERVICES COMMITTEE, DHARWAD
BENCH**

BEFORE THE LOK ADALAT

**IN THE HIGH COURT OF KARNATAKA
DHARWAD BENCH**

DATED THIS THE 9TH DAY OF DECEMBER, 2023

CONCILIATORS PRESENT

THE HON'BLE MR. JUSTICE H.P.SANDESH

AND

SHRI. SHIVAKUMAR S. BADAWADAGI, MEMBER

MISCELLANEOUS FIRST APPEAL NO.101100 OF 2021

LOK ADALAT NO.1856/2023

BETWEEN:

1. KURUVA NAGARAJU
S/O. KURUVA CHENNAIAH
AGED ABOUT: 63 YEARS,
OCC: AGRICULTURIST.
2. KURUVA GANGAMMA
W/O. K.NAGARAJ,
AGED ABOUT: 58 YEARS.
3. KURUVA SUSHEELAMMA
D/O. K.NAGARAJ,
AGED ABOUT 25 YEARS.
4. KURUVA MOHAN REDDY
S/O. K.NAGARAJ,
AGED ABOUT: 21 YEARS,

ALL ARE R/O. CHIPPIGIRI VILLAGE,
ALURU TALUK, KARNOOL DISTRICT,
NOW R/O: AT BHAGATH SINGH NAGAR,
TALUR ROAD, BALLARI-593101.

...APPELLANTS

(BY SRI.Y.LAKSHMIKANT REDDY, ADVOCATE)

AND:

1. C.NAVANEPATHI S/O. LALAPPA
AGED ABOUT: 37 YEARS,
DRIVER OF TATA MAGIC AUTO BEARING
REG NO. AP-21/TV-2382,
R/O. H.NO.2/12, MOLAGAVALLI VILLAGE,
ALURU TALUK, KURNOOL DISTRICT-518395.
2. CHAVITLO PRAGATHI
S/O. C. PRAVEEN KUMAR,
AGED ABOUT 38 YEARS,
OWNER OF TATA MAGIC AUTO BEARING
REG NO.AP-21/TV-2382,
R/O. H.NO.8-18, MOLAGAVALLI VILLAGE,
ALURU TALUK, KARNOOL DISTRICT-518395.
3. THE DIVISIONAL MANAGER
M/S NEW INDIA ASSURANCE
COMPANY LIMITED, BALLARI-583101.

...RESPONDENTS

(BY SRI. S.V.YAJI, ADV. FOR R3;
NOTICE TO R1 AND R2 DISPENSED WITH)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER
SECTION 173(1) OF MOTOR VEHICLES ACT, 1988 AGAINST
THE JUDGMENT AND AWARD DATED 11.12.2020 PASSED IN
MVC NO.889/2018 ON THE FILE OF THE MOTOR ACCIDENT
CLAIMS TRIBUNAL-XII, BALLARI, PARTLY ALLOWING THE
CLAIM PETITION FOR COMPENSATION AND SEEKING
ENHANCEMENT OF COMPENSATION.

THIS MFA COMING ON FOR CONCILIATION BEFORE LOK ADALAT AFTER BEING REFFERED BY THE COURT, THE FOLLOWING CONCILIATION ORDER IS PASSED:

CONCILIATION ORDER

The learned counsel for the appellants and the representative of Respondent-Insurance Company along with its counsel are present.

2. After prolonged negotiations, the matter is settled. The Appellants-claimants have agreed to receive and the Respondent-Insurance Company has agreed to pay a global compensation of Rs.6,25,000/- (Rupees Six Lakh Twenty 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. Same is accepted.

3. The said amount shall be released in favour of the claimants digitally in equal proportion.

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

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