
Modified Award of Appellate Court
(O-41, R 35 CPC) H.C No. 32A

IN THE HIGH COURT OF KARNATAKA

CIRCUIT BENCH AT GULBARGA

BEFORE

THE HON'BLE MR. JUSTICE C.R.KUMARASWAMY

MISCELLANEOUS FIRST APPEAL NO. 31286 OF 2012 (MV)

BETWEEN:

MALLIKA
D/O MOULALI KONKANI,
AGED ABOUT 15 YEARS,
OCC: STUDENT,
SINCE MINOR BY HER M/G: HASEEN
W/O MOULALI KONKANI,
AGED ABOUT 37 YEARS,
OCC: H.H. WORK,
R/O NAUBAGH, BIJAPUR-586101.

... APPELLANT

AND:

1. SANJIV SHANTAPPA PARIT,
AGE: MAJOR, OCC: BUSINESS,
R/O 230/B, CHADACHANA,
TALUQ-INDI, DIST:BIJAPUR-586101.
2. THE BRANCH MANAGER,
THE NEW INDIA ASSURANCE CO. LTD.,
BIJAPUR-586101.

... RESPONDENTS

THIS MISCELLANEOUS FIRST APPEAL PREFERRED AGAINST
THE JUDGMENT AND AWARD OF THE COURT OF THE MACT-II
BIJAPUR, IN M.V.C. NO.291 OF 2010 ON ITS FILE DATED THE 1st



DAY OF MARCH, 2011 COMING ON FOR ADMISSION ON THE 20TH DAY OF JUNE, 2013 IN THE PRESENCE OF SRI. SANGANABASAVA B.PATIL, ADVOCATE FOR THE APPELLANT, AND SRI VEERESH.B.PATIL., ADVOCATE FOR RESPONDENT NO.2, SRI CHAITANYAKUMAR, ADVOCATE FOR R1.

And for the reasons stated in the Judgment, while partly allowing this Miscellaneous First Appeal.

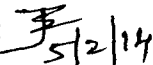
It is ordered and decreed that, the further sum of Rs.45,000/- (Rs. Forty Five Thousand Only) is awarded with interest @ 6% per annum to the claimant. The respondent insurance company shall pay this sum in addition to already awarded..


And it is further ordered and decreed that however, it is made clear that the claimant is not entitled for any interest for the delay period. The judgment and award of the claims tribunal is modified accordingly.

It is ordered and decreed that and there shall be no order as to costs in this appeal.

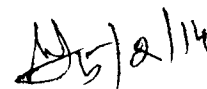
Given under my hand and the seal of this Court, this the 20th DAY OF JUNE 2013.

T By : NAH

R By :  5/2/14

C By :  5/2/14




Assistant Registrar
High Court of Karnataka
Gulbarga Bench

5/2/14