

HIGH COURT LEGAL SERVICES COMMITTEE, KALABURAGI
BEFORE THE LOK-ADALAT

IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH

DATED THIS THE 11TH DAY OF FEBRUARY, 2023

CONCILIATORS PRESENT

**THE HON'BLE MR. JUSTICE T.G.SHIVASHANKARE GOWDA
AND
SRI S.V.DESHMUKH, MEMBER**

**M.F.A. No.202399/2022 (MV)
Lok Adalat No.818/2022**

BETWEEN:

Shrishail S/o Layappa Jangalagi,
Age:42 years, Occ: Centering work,
R/o Loni B.K., Taluk: Indi,
Now residing at KC Nagar,
Banjara Cross, Vijayapura-586101.

...Appellant

(By Sri. Sanganasava B Patil., Advocate)

And:

1. Mr. Imran S/o Chand Patha,
Age:49 years, Occ: Business,
R/o Raviwar Peth, Ambajogai,
Taluk: Ambajogai, Dist: Beed,
Maharashtra-431130.

2. The Branch Manager,
The New India Assurance
Company Limited,
Gurukul Road, Hanamashetti,
Building, Vijayapura-586101.

...Respondents

**(V/o dtd.09.01.2023 Notice to R1 is dispensed with;
By Sri. Rahul R Asture, Advocate for R2)**

This Miscellaneous First Appeal is filed under Section 173(1) of M.V. Act, praying to call for records and modify the judgment and award passed by the court of the Prl. Senior Civil Judge and MACT No.V, Vijayapura at Vijayapura in MVC No.03/2018 dated 13.08.2021 and be pleased to allow the claim petition by granting the relief as prayed for by the appellant in the interest of justice and equity.

This appeal coming on for Conciliation before Lok Adalat, this day, the following order is passed:

CONCILIATION ORDER

Learned counsel for the appellant and the representative of Respondent-Insurance Company along with its counsel are present.

2. On negotiations, the claimant and the insurer have settled the matter for global compensation of ₹1,75,000/- (Rupees One Lakh Seventy Five Thousand Only), in addition to the compensation awarded by the Tribunal, in full and final settlement of the claim of the claimant. A joint Memo is filed on behalf of the parties to that effect. The same is recorded.

3. The insurer has agreed to deposit the said amount before the Tribunal within six weeks from the date of drawing of the 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 amount settled shall be released to the claimant.

5. The Miscellaneous First Appeal stands disposed of in terms of the Joint Memo. The award of the Tribunal stand modified accordingly. Draw up the award accordingly.

**Sd/-
JUDGE**

**Sd/-
MEMBER**

KNM/SBS/SMP