

IN THE HIGH COURT LEGAL SERVICES COMMITTEE,
HIGH COURT OF KARNATAKA, KALABURAGI BENCH,
BEFORE THE LOK-ADALAT

DATED THIS THE 28TH DAY OF JANUARY, 2016

CONCILIATORS PRESENT

THE HON'BLE MR. JUSTICE B. MANOHAR
AND

SRI K A KALBURGI, MEMBER

M.F.A. No.200191/2015 (MV)

Lok Adalat No.181/2016

BETWEEN:

Smt.Tarabai w/o late Mahadevappa
Nasi, Aged about 58 years, Occ: Nil
R/o 2-8/1, Farthabad
Tq: Dist: Kalaburagi.

.. Appellant

(By Sri Santosh Biradar, Adv.)

AND:

1. Sri Devangouda
s/o Basalingappa Police Patil,
Aged about 54 years, Occ: owner
of lorry bearing Reg. No.KA 33/4545,
r/o Kannekollur
Tq: Shahapur
Dist: Yadgir-585201.

2. The Manager
Sri Ram General Insurance Co. Ltd.,
E-8, EPIP RIICO Industrial Area
Sitapur, Jaipur,
Rajashtan-302001. ... Respondents

(By Smt.Sangeeta Bhadrashetty, Adv. for R2,
notice to R1 d/w v/o dtd.20.1.2016)

This MFA is filed under Section 173(1) of M.V. Act against the judgment and award dated 24.6.2014 passed in MVC No.635/2012 on the file of the I Addl. Senior Civil Judge & M.A.C.T. at Gulbarga, partly allowing the claim petition and seeking enhancement of compensation.

This appeal coming on for conciliation before Lok Adalat this day, the following order came to be passed:

CONCILIATION ORDER

The learned counsel for the appellant and the learned counsel for respondent - Insurance Company are present.

2. After due deliberations, the parties have arrived at a settlement. The appellant-claimant has agreed to receive and the respondent - Insurance Company has agreed to pay global compensation of Rs.1,25,000/- (Rupees one lakh twenty five thousand only) in addition to what has been awarded by the Tribunal, towards full and final settlement of the claim. A joint memo is filed on behalf of the parties to this effect.

3. The respondent - Insurance Company has agreed to deposit the said amount before the Tribunal, within six weeks from the date of preparation of the award, failing which, the said amount shall carry interest at 9% p.a. from the date of default, till the date of deposit.

4. The entire enhanced amount is ordered to be released in favour of the claimant on deposit.

5. Accordingly, Miscellaneous First Appeal stands disposed of in terms of the Joint Memo and the award of the Tribunal shall stand modified. Draw award accordingly.

Sd/-
JUDGE

Sd/-
MEMBER

Bkm