

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

DATED THIS THE 08TH DAY OF APRIL, 2017

CONCILIATORS PRESENT

THE HON'BLE MR. JUSTICE B.VEERAPPA

AND

DR. JAMBAYYA SWAMY HIEMATH, MEMBER

M.F.A.No.201755/2015 (MV)
(Lok Adalat No.937/2016)

BETWEEN:

GHANSHYAM S/O KISHAN MALAVI @ BALAI

AGE: 36 YEARS OCC: BUSINESS

R/O: ADARSH NAGAR, VIJAYAPUR-586103.

... APPELLANT

(BY SRI.VIRANAGOUDA BIRADAR, ADVOCATE)

AND:

1. SANTOSH S/O NINGAPPA BUJRE

AGE: 39 YEARS OCC: DOCTOR

R/O: 5/79, MITHARI LANE,

VAIRAN BAZAR

TILAK ROAD, ICHALKARANJI,

TQ: HATKANAGLE, DIST: KOLHAPUR,

MAHARASTRA-416115.

2. THE BRANCH MANAGER

IFFOCO-TOKIO GENERAL INSURANCE CO. LTD.,

ASIAN AREA, OPP: SYNDICATE BANK

NEAR ANAND HOTEL, S.B. TEMPLE ROAD,

GULBARGA-585 101.

... RESPONDENTS

(BY SMT.PREETI PATIL MELKUNDI, ADV. FOR R2:

THIS MFA IS FILED UNDER SECTION 173 (1) OF MV ACT, PLEASED TO ALLOW THIS APPEAL BY MODIFYING THE JUDGMENT AND AWARD DATED 31.08.2015 PASSED BY THE LEARNED MOTOR ACCIDENT CLAIMS TRIBUNAL NO.VII, VIJAYAPUR IN MVC.NO.304/2014, AND ALLOW THE CLAIM PETITION AS PRAYED FOR.

THIS APPEAL COMING ON FOR CONCILIATION BEFORE LOK-ADALAT, THIS DAY, THE FOLLOWING ORDER IS PASSED:

CONCILIATION ORDER

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 Rs1,10,000/- (Rupees One Lakh Ten 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 that effect. However, this order is subject to approval of the Respondent authorities.

2. 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.

3. Entire amount awarded shall be released in favour of the appellant on proper identification.

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

**Sd/-
JUDGE**

**Sd/-
MEMBER**

KJJ