HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU
BEFORE THE NATIONAL LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 09TH DAY OF SEPTEMBER 2023

CONCILIATORS PRESENT:

THE HON'BLE MR. JUSTICE T G SHIVASHANKARE GOWDA

&

SRI. S. S. MAHENDRA, MEMBER

M.F.A.No. 1452/2023 (MV)
(LOK ADALAT No. 2599/2023)

BETWEEN:

CHIKKANNA
S/O LATE BETTAIAH,
AGED ABOUT 60 YEARS,
R/AT ABBUR ROAD VILLAGE,
PERIYAPATNA TALUK,
MYSURU DISTRICT-571 107.

...APPELLANT

(BY SRI. SYED ABDUL SABOOR, ADVOCATE)

AND

1 . MAHADEVA
W/O RANGEGOWDA,
AGED ABOUT 36 YEARS,
R/AT 69,
CHIKKA HUNSUR, HUNSUR TALUK,
MYSURU DISTRICT-571 105.

2 . THE MANAGER
THE ORIENTAL INSURANCE CO LTD.,
MUSLIM BUILDING, IST MAIN,
OPP FIRE BRIDGE,
SARASWATHIPURAM,
MYSURU-570 009

…RESPONDENTS

(BY SRI. A.R. LAKSHMI NARAYANA, ADVOCATE FOR R-2)

MFA FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 19.11.2022 PASSED IN MVC NO. 455/2020 ON THE FILE OF THE PRINCIPAL JUDGE, COURT OF SMALL CAUSES, AS A PRESIDING OFFICER, MOTOR ACCIDENTS CLAIMS TRIBUNAL, MYSURU. PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS APPEAL COMING ON FOR CONCILIATION BEFORE NATIONAL LOK ADALAT, THE FOLLOWING CONCILIATION ORDER IS PASSED.

CONCILIATION ORDER

The learned Counsel appearing for the Appellant - Claimant is present through video conferencing/physical hearing. The learned Counsel appearing for the Respondent–Insurance Company along with its representative are present.

2. After prolonged negotiations, the matter is settled. A joint memo signed by the learned advocate appearing for the appellant/claimant (being authorized by the appellant/claimant to sign) and the learned advocate appearing for the respondent-Insurance Company and its authorized officer is

filed. The appellant-claimant has agreed to receive and the respondent-Insurance Company has agreed to pay a lump-sum of Rs.50,000/- (Rupees Fifty Thousand only), in addition to what has been awarded by the Tribunal, in full and final settlement of the claim.

3. 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.

4. The entire enhanced compensation amount shall be released in favour of the appellant / claimant, on proper identification.

5. This Miscellaneous First Appeal stands disposed of in terms of the Joint memo. The Judgment and Award of the Tribunal shall stand modified accordingly. Draw up the Award accordingly.

Sd/-
JUDGE

Sd/-
MEMBER

LDC