HIGH COURT LEGAL SERVICES COMMITTEE, KALABURAGI

BEFORE THE LOK-ADALAT

IN THE HIGH COURT OF KARNATAKA KALABURAGI BENCH

DATED THIS THE 9TH DAY OF DECEMBER, 2023

CONCILIATORS PRESENT

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

AND

SRI. SHARNAGOUDA V. PATIL , MEMBER

M.F.A. NO.200737/2023 (MV)

Lok Adalat No.543/2023

BETWEEN:

SATISH S/O MALLIKARJUN,
AGE: 32 YEARS, OCC: AGRICULTURE. & DRIVER,
R/O MALCHAPUR VILLAGE-585413,
TQ. BHALKI, DIST. BIDAR

...APPELLANT

(BY SRI. SANTOSH BIRADAR, ADVOCATE)

AND

1. JAMADAR PRAKASH,
S/O JAMADAR MARUTHI,
AGE: MAJOR, OCC: BUSINESS,
R/O H.NO. 8-33, NEAR GUJJARI GANDENS,
JAYARAM NAGAR, QUTHUBULLAPUR,
MEDCHAL-501501, RANGAREDDY,

TELANGANA STATE.

2. THE MANAGER,
NEW INDIA ASSURANCE CO. LTD.,
NO.2, SINDHOL COMMERCIAL COMPLEX,
NEAR MUNICIPAL OFFICE,
RAILWAY STATION ROAD,
BIDAR-585401.

...RESPONDENTS

(SRI. SANJAY M. JOSHI, ADVOCATE FOR R2;
V/O DATED 17.02.2023 NOTICE TO R1 DISPENSED WITH)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 173(1) OF M.V. ACT, PRAYING TO ALLOW THE APPEAL, MODIFY THE IMPUGNED JUDGMENT AND AWARD DATED 12.03.2021 PASSED BY THE COURT OF THE SENIOR CIVIL JUDGE AND MACT AT HUMNABAD IN MVC NO. 261/2019, 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

The learned counsel for the Appellant/Claimant and the representative of Respondent-Insurance Company along with its counsel are present.

2. After prolonged negotiations, the matter is settled. The Appellant/Claimant has agreed to receive and the Respondent-Insurance Company has agreed to pay a global compensation of Rs.2,41,000/- (Rupees Two Lakhs Forty One Thousand only), in addition to what has been awarded by the Tribunal, in full and final settlement of the claim. A joint Memo is filed on behalf of the parties to this effect. Same is accepted.

3. The entire amount shall be released in favour of the Claimant.

4. 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.

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

Sd/-
JUDGE

Sd/-
MEMBER

LG