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

IN THE HIGH COURT OF KARNATAKA
KALABURAGI BENCH

DATED THIS THE 14TH DAY OF DECEMBER, 2024

CONCILIATORS PRESENT

THE HON'BLE MR. JUSTICE G BASAVARAJA

AND

SRI.SHARANAGOUDA V PATIL, MEMBER

M.F.A. No.203662/2023

Lok Adalat No.816/2024

BETWEEN:

1. SMT. SUNITA W/O MACHINDRA KHARAT
AGED ABOUT 30 YEARS, OCC: HOUSEHOLD WORK,

2. SAMRUDDHI D/O MAHCINDRA KHARAT
AGED ABOUT 10 YEARS, OCC: STUDENT,

3. URMILA D/O MACHINDRA KHARAT
AGED ABOUT 8 YEARS, OCC: NIL,

4. ADITYA S/O MAHCINDRA KHARAT
AGED ABOUT 5 YEARS, OCC: NIL,
APPELLANTS 2 TO 4 ARE MINORS
REP BY THEIR NATURAL MOTHER AND
M/G THE APPELLANT 1

5. SRI. GOVIND S/O BHAU KHARAT
AGED ABOUT 74 YEARS, OCC: NIL,

6. SMT. VAIJATA W/O GOVIND KHARAT
AGED ABOUT 72 YEARS, OCC: HOUSEHOLD,

ALL ARE R/O HABISEWAD NARALE,
TQ: SANGOLA, DIST: SOLAPUR,
NOW RESIDING AT ARAKERI, VIJAYAPUR
(PETITIONERS BEFORE MACT)

... APPELLANTS

(BY SRI. S.S. MAMDAPUR, ADV.)

AND:

1. THE PROPRIETOR,
SRI. AMIT MALIK, E-854, GALI-3,
AIR FORCE ROAD, DABUI COLONY,
FARIDABAD, HARYANA STATE
(RESPONDENT-1 BEFORE MACT)

2. THE BRANCH MANAGER,
ICICI LOMBARD GENERAL
INSURANCE CO. LTD.,
2ND FLOOR, MAHALAXMI COMPLEX,
MG ROAD, VIJAYPUR – 586101
(RESPONDENT-2 BEFORE MACT)

... RESPONDENTS

(BY SRI. MANJUNATH MALLAYYA SHETTY, ADV. FOR R2)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT 1988, PRAYING TO ENHANCE THE COMPENSATION AMOUNT SUITABLY MODIFYING THE JUDGMENT AND AWARD DATED 21-04-2023 PASSED BY THE HONOURABLE PRINCIPAL SENIOR CIVIL JUDGE AND MACT-V, VIJAYAPUR IN MVC NO. 1140/2021.

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

CONCILIATION ORDER

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

2. After prolonged negotiations, the matter is settled. The appellants-claimants has agreed to receive and the Respondent-Insurance Company has agreed to pay a global compensation of Rs.6,40,000/- (Rupees Six Lakh Forty 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 order of apportionment and deposit ordered by the Tribunal shall hold good for the compensation awarded in this appeal.

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/-
(G BASAVARAJA)
JUDGE

Sd/-
(SHARANAGOUDA V. PATIL)
MEMBER

MSR