HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU
BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 05TH DAY OF MARCH 2024

CONCILIATORS PRESENT:

THE HON'BLE MR. JUSTICE T.G.SHIVASHANKARE GOWDA
&
SMT. K.T. PREMALATHA, MEMBER

M.F.A.No. 5380/2023(MV)
(Lok Adalat No. 2354/2023)

BETWEEN

1. SAHARA W/O LATE ALEEM KHAN,
AGED ABOUT 47 YEARS.

2 . RUHI KHANUM D/O LATE ALEEM KHAN
AGED ABOUT 25 YEARS.

3 . AYESHA KHANUM D/O LATE ALEEM KHAN,
AGED ABOUT 24 YEARS.
ALL ARE RESIDENT OF
NAGENAHALLI ROAD, HARANAHALLI,
PRESENT R/AT VADDARAHALLI,
KASABA HOBLI,
TUMKUR TALUK AND DISTRICT-577101.

...Appellants

(BY SRI. M.B. RYAKHA, ADVOCATE)

AND

1 . THE MANAGING PARTNER
M/S SRI. KOTTESHWARA TRANSPORT COMPANY

OFFICE TA C.N. ROAD, SHIVAMOGGA,
SHIVAMOGGA DISTRICT-577301.

2 . THE MANAGER
UNIVERSAL SOMPO GENERAL
INSURANCE COMPANY LIMITED,
OFFICE AT. 3RD FLOOR, KVV SMART,
217/A, 3RD MAIN OUTER RING ROAD,
KASTURI NAGARA,
BENGALURU-560043.

…Respondents

(BY SRI. B PRADEEP, ADVOCATE FOR R-2,
NOTICE TO R-1 – D/W V.C.O. DATED 09.08.2023)

MFA FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 07.12.2022 PASSED IN MVC NO.191/2021 ON THE FILE OF THE ADDITIONAL SENIOR CIVIL JUDGE AND CJM, MACT, TUMAKURU, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

CONCILIATION ORDER

The learned Counsel appearing for the Appellants - Claimants is present. 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 appellants/claimants (being authorized by the appellants/claimants to sign) and the learned advocate appearing for the respondent-Insurance Company and its authorized officer is filed. The appellants-claimants have agreed to receive and the respondent-Insurance Company has agreed to pay a lump-sum of Rs.6,50,000/- (Rupees Six Lakhs 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. In this appeal there are three claimants and if the enhanced compensation amount will be divided amongst the appellants / claimants as per the apportionment made by the Claims Tribunal, they will get meager amount. Hence, the entire shares of appellants / claimants shall be released in their favour, 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

Rbv