

BEFORE THE SUPREME COURT LOK ADALATPROCEEDINGS OF
PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 4143/2020

(Arising out of impugned final judgment and order dated 03-09-2019 in MFA No. 32278/2012 passed by the High Court of Karnataka at Kalaburagi)

SUJATA & ORS.

PETITIONER(S)

VERSUS

THE BRANCH MANAGER,
ORIENTAL INSURANCE COMPANY LTD. BIJAPUR & ANR.

RESPONDENT(S)

Date : 29-07-2024

Present: Members of Lok Adalat

HON'BLE MR. JUSTICE ABHAY S. OKA
HON'BLE MR. JUSTICE DIPANKAR DATTA
MR. HUZEFA A. AHMADI, SENIOR ADVOCATE
MR. GAICHANGPOU GANGMEI, ADVOCATE-ON-RECORD

For Petitioner(s) Mr. Preetam Shah, Adv.
Mr. Aditya Sidhra, Adv.
Mr. Dhananjay Kumar, Adv.
Mr. K. Krishna Kumar, AOR

For Respondent(s) Mr. Arvind Gupta, AOR
Mr. Anil Kumar Sahu, Adv.
Mr. Mohit Bidhuri, Adv.
Mr. Kanav Bhardwaj, Adv.

A W A R D

1. The learned counsel appearing for the petitioners and the learned counsel appearing for the first respondent, on instructions, agree that the award made by the High Court be modified and the total compensation of Rs.13,50,000/- (Rupees Thirteen Lakh and Fifty Thousand) with interest, as directed by the High Court, shall be paid to the petitioners. Ordered accordingly.

The impugned Award stands modified accordingly.

2. The learned counsel appearing for the first respondent stated that the first respondent has deposited the compensation awarded by the Motor Accident Claims Tribunal (for short, "the Tribunal) with the Tribunal. He states that the said amount is more than what is payable by way of settlement. Therefore, by retaining the compensation amount of Rs.13,50,000/- (Rupees Thirteen Lakh and Fifty Thousand) with interest at the rate of 6% per annum from the date of filing of the claim petition till the deposit of the amount, the Tribunal will permit the first respondent to withdraw the balance amount. The Tribunal will hear the petitioners before permitting the withdrawal.

3. Needless to add that the Tribunal shall pass appropriate orders regarding disbursement/investment of the amount payable to the petitioners in terms of the modified award.

4. The Special Leave Petition stands disposed of in terms of the award.

5. Court fee be refunded as per rules.

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[GAICHANGPOU GANGMEI]
ADVOCATE-ON-RECORD
MEMBER, LOK ADALAT

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[HUZEFA A. AHMADI]
SENIOR ADVOCATE
MEMBER, LOK ADALAT

.....J.
[DIPANKAR DATTA]
MEMBER, LOK ADALAT

.....J.
[ABHAY S. OKA]
MEMBER, LOK ADALAT