

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 17th Day of April 1998

B E F O R E

THE HON'BLE MR. JUSTICE H.N. NARAYAN

C.R.P. No. 1191/1998

Between:

Munimaramma,
W/o late Rangappa,
Aged about 55 years,
Occ: Household,
R/a W.364, H.M.T. Colony,
Bangalore - 560 031.

...Petitioner

(By Smt. Manjula R. Kamadolli, Advocate)

A n d :

1) The General Manager,
The United India Insurance
Company Limited,
No.143 & 144, CKN Chambers,
1st Main Road,
Seshadripuram,
Bangalore-560 020.

2) Mr. K.Palaniyandi,
S/o Kannan,
No.8, Salem Road,
Namakkal.
Tamil Nadu State.

...Respondents

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This C.R.P. is filed under Section 115 of CPC against the order dated 24.3.1998 passed in MVC No. 218/97 on the file of the District and Sessions Judge, Bangalore Rural District, Bangalore.

This C.R.P. coming on for admission this day, the Court made the following:-

...Order

O R D E R

Petitioner is the mother of the deceased in whose favour the Lok Adalat has settled the matter and awarded same amount of compensation to the mother and wife of the deceased, disregarding the age of the parties. Neither the officers presiding over the Lok Adalat, nor the counsel for the parties have noticed this defect. Therefore, a legal error has occurred in the decree. Parties are directed to get it rectified at the appropriate forum. However, petitioner who is the mother of the deceased has approached the trial court for release of the entire amount in deposit, in her favour. The trial court has already released Rs.24,733/- initially at her instance and ordered deposit of Rs.39,600/- in F.D. Later, from the observations made, the mother is not entitled for the same amount as that of the wife of the deceased, and therefore, this amount cannot be released till the matter is corrected at the appropriate forum. Revision is therefore dismissed.

Sd/-
JUDGE