

HIGH COURT LEGAL SERVICES COMMITTEE,
DHARWAD

BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA
CIRCUIT BENCH AT DHARWAD

DATED THIS THE 31ST DAY OF MARCH, 2011

PRESENT

THE HON'BLE MR.JUSTICE RAM MOHAN REDDY

AND

SRI. K.L.PATIL, MEMBER

M.F.A.NO. 21003/2010

IN L.A.NO.241/2011

BETWEEN:

CHANNABASAPPA,
S/O. SIDDAPPA MADIWALAR,
AGE: 50 YEARS, OCC: AGRICULTURAL COOLIES,
R/O. KALAGI, NOW AT ADARGUNCHI,
TQ: HUBLI, DIST: DHARWAD.

... APPELLANT

(By SRI.S.M.KALWAD, ADV.)

AND:

1. RAJU B KALAL,
AGE: MAJOR, R/O. KAMATGERI ONI,
TQ: HANAGAL, DIST: HAVERI,
(OWNER OF THE MAHINDRA PASSENGER
TEMPO BEARING NO.KA-27/3513)



2. THE UNITED INDIA INSURANCE CO. LTD.,
HAVERI.
REP. BY ITS DIVISIONAL MANAGER,
UNITED INDIA INSURANCE CO. LTD,
LAMINGTON ROAD,
HUBLI.

... RESPONDENTS

(BY SRI.A.G.JADHAV, ADVOCATE FOR R-2;
R-1 DISPENSED WITH)

THIS MFA FILED U/S 173(1) OF MOTOR VEHICLE ACT AGAINST THE JUDGMENT AND AWARD DATED 03/09/2009, PASSED IN MVC NO.15/2003 ON THE FILE OF THE PRL. CIVIL JUDGE (SR.DN.) AND MEMBER, MACT, HUBLI, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS M.F.A. COMING ON FOR CONCILIATION BEFORE THE LOK ADALAT THIS DAY, THE FOLLOWING ORDER IS PASSED:

CONCILATION ORDER

This M.F.A. is filed u/s. 173 (1) of M. V. ACT against the judgment and award dated:03-09-2009 passed in MVC NO:15/2003 on the file of the Prl. Civil Judge(Sr.Dn.) and Member, Motor Accidents Claims Tribunal, Hubli.

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The learned Counsel for the Appellant and the representative of the Respondent and the learned Counsel for the Respondent are present.

After negotiations, the matter is settled. The 2nd respondent has agreed to pay and Appellant has agreed to receive a global compensation of Rs.95,000/- (Rs. ninety five thousand only) inclusive of interest, in addition to what has been awarded by the Tribunal, in full and final settlement of the claim.

The 2nd respondent shall deposit of Rs.47,500/- in any nationalized bank for a period of 909 days from the date of preparation of Award, failing which the said amount shall carry interest @ 9% p.a. from the date of default, till the date of deposit.

We are satisfied that the settlement arrived between the parties is just and proper.



The out of enhanced compensation of Rs.47,500/- shall be released in favour of the Appellant.

This Misc. First Appeal stands disposed of in terms of Joint Memo Award of the Tribunal is modified. Draw the award accordingly.

Sd/-
JUDGE

Sd/-
MEMBER

Pv