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**HIGH COURT LEGAL SERVICES COMMITTEE, BANGALORE
BEFORE THE LOK ADALAT**

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30th DAY OF MAY, 2011

CONCILIATORS PRESENT:

**HON'BLE MR. JUSTICE N.K.PATIL
AND
SRI. GANGADHAR SANGOLLI, MEMBER**

Miscellaneous First Appeal No.12551/2006

(Lok Adalat No.1680/2009)

c/w

Miscellaneous First Appeal No.10878/2006

(Lok Adalat No.1681/2009)

IN MFA 12551/2006:

BETWEEN:

1. Hanumakka,
W/o.Late Krishnappa,
Aged 42 years.
2. Manjunath,
S/o.Late Krishnappa,
Aged 23 years.
3. Netravathi,
D/o.Late Krishnappa,
Aged 20 years.

R/a 37, Muddinapalya Main Road,
Near BEL Layout, Anjanagar,
Magadi Main Road, Viswaneedam Post,
Bangalore – 560 091.

...

Appellants

(By Sri. Shripad V.Shastri, Advocate)

AND

1. Royal Sundaram Alliance Insurance
Company Ltd., Sundarama Towers,
No.45-46, Whites Road,
Chennai – 600 014.
2. Smt.Radha.K.,
Major, W/o.Kuppuswamy,
R/a T.Malligainagar, 1st Street,
Kandhiyan Thottam Soolai,
Erode – 638 004.

.. **Respondents****(By Sri. K.Suryanarayana Rao, Advocate for R-1)**

MFA FILED U/S.173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 29-6-2006 PASSED IN MVC NO.6504/2005 ON THE FILE OF THE XIII ADDL. SMALL CAUSE JUDGE & MEMBER. MACT, METROPOLITAN AREA, BANGALORE (SCCH.15), PARTLY ALLOWING THE CLAIM PETITION FOR COMPENASTION AND SEEKING ENHANCEMENT OF COMPENSATION.

IN MFA 10878/2006:**BETWEEN:**

M/s. Royal Sundaram Alliance Insurance
Company Ltd., Sundaram Towers,
No.45 & 46, Whites Road,
Chennai – 600 014.
By Authorised Signatory.

... **Appellant****(By Sri. K.Suryanarayana Rao, Advocate)****AND**

1. Hanumakka,
W/o.Late Krishnappa,
Aged about 42 years.
2. Manjunath,
S/o.Late Krishnappa,
Aged about 23 years.
3. Netravathi,
D/o.Late Krishnappa,
Aged about 20 years.

All residing at No.37,
Muddnapalya Main Road,
Near BEL Layout, Anjanagar,
Magadi Main Road,
Vishwaneedam Post,
Bangalore – 91.

4. Smt.Radha.K.,
W/o.Kuppuswamy,V,
Major, R/at.Malligainagar,
1st Street, Kandhiyan Thottam,
Soolai, Erode – 638 004.

.. **Respondents**

(By Sri. Shripad V.Shastri & K.G.Bhat, Advocates for R-1 to R-3)

MFA FILED U/S.173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 29-6-2006 PASSED IN MVC NO.6504/2005 ON THE FILE OF THE XIII ADDL. SMALL CAUSE JUDGE & MEMBER, MACT, METROPOLITAN AREA, BANGALORE (SCCH.15), AWARDDING A COMPENSATION OF RS.4,91,000/- WITH INTEREST AT 6% P.A. FROM THE DATE OF PETITION TILL THE DATE OF DEPOSIT.

THESE MFAS COMING ON FOR CONCILIAITION BEFORE LOK ADALAT AFTER BEING REFERRED VIDE ORDER DTD.27-10-2009, THE FOLLOWING ORDER IS PASSED.

CONCILIATION ORDER

The learned counsel for the Claimants and the learned counsel for Insurance Company along with its representative are present.

2. After prolonged negotiations, the matter is settled. The claimants have agreed to receive and the Insurance Company has agreed to pay a lump sum of Rs.1,00,000/- (Rupees One Lakh 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.

3. The Insurance Company has agreed to deposit the said amount, within six weeks from the date of preparation of Award, failing which the said amount shall carry interest at 9% per annum from the date of default, till the date of deposit.

4. Out of the enhanced compensation, a sum of Rs.50,000/- shall be kept in fixed deposit in the name of the claimant No.1 in any Nationalized Bank for a period of 5 years renewal for further period of 5 years. The claimant No.1 is entitled to draw the interest on the said amount. The balance amount shall be released in favour of the claimants 1 to 3 equally.

5. MFA 12551/2006 stands disposed of in terms of the Joint memo. In view of the settlement, MFA 10878/2006 filed by the Insurance Company is dismissed as withdrawn. The award of the Tribunal shall stand modified accordingly. Draw up the Award accordingly.

Sd/-
JUDGE

Sd/-
MEMBER

RR