

HIGH COURT LEGAL SERVICES COMMITTEE, BANGALORE

BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 28TH DAY OF NOVEMBER, 2014

CONCILIATORS PRESENT :

THE HON'BLE MR. JUSTICE N.K. PATIL

AND

MR. S.SRISHAILA, MEMBER

M.F.A.NO.206 OF 2013 (MV)

Lok Adalat No.5392 OF 2014

Between:

Venka @ Venkatesha,
S/o M.B. Thammaiah,
Aged about 36 years,
Worker in Engineering Workshop,
Residing at Kamanabhavi Badavane,
Chitradurga.

.. Appellant

(By Shri.R.Shashidhara, Advocate)

And:

1. Chidananda Swamy,
S/o. Rudraswamy,
Aged Major,
Owner of the Car
Bearing No.KA-01-N-1813,
Residing at Lakshmipura Urdgere,
I floor, National Highway,
Opposite TKP Lodge, Sira,
Tumkur District.

2. The Branch Manager,
United India Insurance Co.Ltd.,
MMK Complex, AVK Road,
Davanagere.

... Respondents

(By Shri.B.C.Seetharama Rao, Advocate for R-2;
Notice to R-1 dispensed with V/o dated 5.6.2014)

This MFA is filed U/S 173(1) of MV Act against the Judgment and Award dated:24.08.2012 passed in MVC No. 283/2011 on the file of the Principal District & Sessions Judge, Motor Accident Claims Tribunal-I, Chitradurga, partly allowing the claim petition for compensation and seeking enhancement of compensation.

This MFA coming on for conciliation before Lok Adalat, after being referred by the Court, the following Conciliation Order is passed.

CONCILIATION ORDER

The learned counsel for the appellant, the learned counsel for the second respondent and its representative are present.

2. After due deliberation in the matter, they have arrived at a settlement. The second respondent has agreed to pay a sum of ₹1,20,000/- (Rupees One Lakh Twenty Thousand Only) without interest, in addition to the amount already awarded by the Tribunal. The Appellant has agreed to receive the said amount in full and final settlement of the claim.

3. The second respondent has agreed to deposit the amount before the Tribunal within six weeks from the date of preparation of the award, failing which the amount shall carry interest at the rate of 9% per annum from the date of default, till the date of deposit.

4. The parties have filed a Joint Memo in terms of their settlement. The settlement is in the best interest of the parties and therefore, accepted.

5. Accordingly, the Judgment and Award dated 24th August 2012, passed in MVC No. 283/2011 by the Principal District & Sessions Judge, Motor Accident Claims Tribunal-I, Chitradurga, stands modified in terms of the Joint Memo.

The entire enhanced amount shall be released in favour of the appellant, immediately.

Draw up the award accordingly.

Sd/-
JUDGE

Sd/-
MEMBER

BMV*