

HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU
BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF SEPTEMBER, 2015

CONCILIATORS PRESENT:

HON'BLE MRS.JUSTICE RATHNAKALA
&
SMT.HARINI SHIVANANDA, MEMBER

M.F.A.No.5026/2013
(Lok Adalat No.1348/2015)

BETWEEN

SRI GUNDAPPA
S/O VENKATESHAPPA,
AGED 28 YEARS,
R/AT CHIKKAKUNTHUR
HARALERI POST, MALUR TALUK,
KOLAR DISTRICT-563101.

... APPELLANT

(By Sri : K T GURUDEVA PRASAD, ADVOCATE)

AND

1. THE MANAGER
SUMUKA FUEL POINT
NO.230/2 & 3, KUNIGAL BY PASS CIRCLE
NELAMANGALA TOWN ROAD,
BANGALORE RURAL DISTRICT-562123.
2. THE NATIONAL INSURANCE CO. LTD
REGIONAL OFFICE,
NO.144, 2ND FLOOR, SHUBHARAM COMPLEX,
M.G.ROAD, BANGALORE-560 001.

... RESPONDENTS

(By Sri : C NARASIMHACHAR FOR R1
Sri : L.SREEKANTA RAO FOR R2)

MFA FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED:25.02.2013 PASSED IN MVC NO.5295/2011 ON THE FILE OF THE V ADDITIONAL SMALL CAUSES JUDGE AND 24TH ACMM, MEMBER MACT, BANGALORE, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THE APPEAL 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 claimant-appellant and the learned counsel for the insurance company along with its representative are present.

2. After prolonged negotiations, the matter is settled. The appellant -Claimant has agreed to receive and the Respondent- 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 Respondent –insurance company has agreed to deposit the said amount before the Tribunal within six weeks from the date of preparation of award, failing which the said amount shall carry interest at the rate of 9% P.A. from the date of default, till the date of deposit.

4. The entire enhanced compensation amount shall be released in favour of the appellant.

5. This miscellaneous first appeal stands disposed of in terms of the Joint memo. The Judgment and Award of the Tribunal shall stand modified accordingly. Draw up the Award accordingly.

**Sd/-
JUDGE**

**Sd/-
MEMBER**

DKB