HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 08TH DAY OF DECEMBER, 2018

CONCILIATORS PRESENT:

THE HON'BLE MR JUSTICE K. SOMASHEKAR

&

DR. S.V. GIRIKUMAR, MEMBER

M.F.A.No.4289/2017 (MV) (Lok Adalat No.2000/2018)

BETWEEN

R. Ranganatha, S/o Ranganayaka, Aged about 48 years, R/of Abbinahole Village, Hiriyur Taluk - 572 143.

... Appellant

(By Sri. R. Shashidhara, Advocate)

AND

- J.H. Rangaswamy,
 S/o Dodda Hanumanna,
 Age Major,
 Owner of Tractor-Trailer
 Bearing No.KA-7/T-6634-35
 R/of Devarakotta,
 Byadaqrahally Post,
 Hiriyur Taluk 572 143.
- 2. The Branch Manager, National Insurance Co. Ltd.,

Branch Office, Jagalur, Mahalingappa Complex, B.C. Road, Chitradurga - 577 501.

... Respondents

(By Smt. S. Nirmmala, Advocate for R.2; Notice to R.1 d/w, v/o dt: 20.11.2018)

MFA FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 08.12.2016 PASSED IN MVC NO.1203/2015 ON THE FILE OF THE SENIOR CIVIL JUDGE & ADDL. MACT, HIRIYUR, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS 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 Appellant - Claimant and the learned Counsel for the Respondent - **National Insurance Company Limited** 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.1,25,000/- (Rupees One Lakh Twenty-five Thousand 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 Claimant, on proper identification.
- 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

LL