

HIGH COURT LEGAL SERVICES COMMITTEE, BANGALORE

BEFORE THE LOK ADALATH

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 23rd DAY OF NOVEMBER, 2013

CONCILIATORS PRESENT:

HON'BLE MR.JUSTICE ARAVIND KUMAR

AND

SRI. M.N. UMASHANKAR, MEMBER

Miscellaneous First Appeal No.8955/2011 (MV)

(Lok Adalat No. 1357/2013)

Between:

T.Muddappa,
S/o Thipperudrappa
Aged about 51 years
Agriculturist
R/o Muddapura Hosahatty
Chitradurga taluk-577 501.

...Appellant

(By Sri. B.L.Kumar, Advocate)

And:

1. K.Thippeswamy
S/o Thippanna
Major, owner of motor
Cycle Reg.No.Ka-16/Q-9642
R/o Muddapura Hosahatty
Chitradurga taluk-577 501.
2. The Branch Manager

ICICI Lombard General
Insurance Company Ltd.,
Sudha commercial complex,
Rajaji nagar
Rajkumar road,
Bangalore.

...Respondents

(By Sri.B.Pradeep, Advocate for R-2)

This MFA filed U/s 173(1) of MV Act against the judgment and award dated 28.01.2011 passed in MVC No. 420/2008 (DJC MVC No. 679/2008) on the file of the Addl. District Judge, (Fast Track Court), Chitradurga, partly allowing the claim petition for compensation and seeking enhancement of compensation.

This Appeal coming on for conciliation before Lok Adalath after being referred vide order dated 12.11.2013 the following conciliation order is passed.

CONCILIATION ORDER

The learned counsel for the appellant and the representative of Respondent-Insurance Company along with its counsel 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 global compensation of ₹ 40,000/- (Rupees Forty 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 Miscellaneous First Appeal stands disposed of in terms of the Joint Memo. The award of the Tribunal shall stand modified accordingly. Draw up the award accordingly.

Sd/-
JUDGE

Sd/-
MEMBER

DR