

**HIGH COURT LEGAL SERVICES COMMITTEE,
BANGALORE**

BEFORE THE LOK ADALAT

**IN THE HIGH COURT OF KARNATAKA AT
BANGALORE**

DATED THIS THE 23rd DAY OF NOVEMBER 2013

CONCILIATORS

PRESENT

THE HON'BLE MR.JUSTICE ANAND BYRAREDDY

AND

SMT. S. SUSHEELA, MEMBER

M.F.A.No.8768/2011

(In Lok Adalat No.1791/2013)

BETWEEN:

Smt. Nebisa,
Wife of Abbas,
Aged about 46 years,
Residing at Marankala House,
Nelliyadi Post and Village,
Puttur Taluk,
Presently residing at
C/o. Ismail,
T.C.Road, Thokkottur,
Mangalore Taluk
Pin 575 008.

...APPELLANT

(By Shri. G. Ravishankar Shastry, Advocate)

AND:

1. L. Abdul Rehemam,
Son of Ahammed,
Aged about 44 years,
Residing at N.N. Garden,
Sajipanadu Village,
And Post, Bantwal Taluk,
Dakshina Kannada District
Pin 574 211.
2. The National Insurance Company
Limited, office at: III Floor,
Ganesh Building, Main Road,
B.C.Road, Bantwal Taluk,
Dakshina Kannada
Represented by its
Branch Manager
Pin 574 211.
3. K.M. Sayyavu,
Son of Hussain Beary,
Aged about 74 years,
Residing at Marankala House,
Nellyyadi Village and Post,
Puttur Taluk.
4. The United Insurance Company Limited,
Office at: Prabhu Building,
Main Road, Puttur,
Puttur Taluk,
Dakhina Kannada
Represented by its
Branch Manager-574201.

..RESPONDENTS

(By Shri. A.N. Krishna Swamy, Advocate for Respondent No.2)

This Miscellaneous First Appeal is filed under Section 173(1) of MV Act against the Judgment and Award dated 31.1.2011 passed in MVC No.1621/2008 on the file of the Member, MACT-IV and III Additional District Judge, Dakshina Kannada, Mangalore, partly allowing the claim petition for compensation and seeking enhancement of compensation.

This MFA coming on for Conciliation before the Lok Adalath after being referred vide order dated 12.11.2013, the following conciliation order is passed:

CONCILIATION ORDER

Learned counsel appearing for the appellant submits that the appellant is agreeable for settlement of the claim made in the appeal by receiving a lumpsum amount of Rs.25,000/- in addition to what has been awarded by the Tribunal. Learned counsel appearing for respondent No.2-Insurance Company also submits that the Insurance Company is agreeable for the said proposal.

2. In view of the above, we make the following order:

The claim in the appeal is settled for a lumpsum amount of Rs.25,000/- (Rupees Twenty Five Thousand only) in addition to what has been awarded by the Tribunal. Respondent No.2-Insurance Company shall deposit the said amount of Rs.25,000/-

with the Tribunal within six weeks from today, failing which it shall carry interest @ 9% p.a. from today till the date of deposit.

On such deposit, the appellant shall be entitled to withdraw the said amount.

The appeal is settled in the above terms.

Sd/-
JUDGE

Sd/-
MEMBER

KS