HIGH COURT LEGAL SERVICES COMMITTEE
DHARWAD BENCH

BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA
DHARWAD BENCH

DATED THIS THE 08TH DAY OF MARCH, 2025

CONCILIATORS PRESENT

THE HON'BLE MR. JUSTICE C.M. POONACHA

AND

SHRI SANGRAM S.KULKARNI, MEMBER

M.F.A. NO.104969/2024 (MV)
LOK ADALAT NO.178/2024

BETWEEN:

SMT. AIRAWATIR
W/O. RAMAGOUDA PATIL,
AGE. 62 YEARS, OCC. HOUSEHOLD,
AGRICULTURE, NOW NIL,
AT AVARADI, TQ. GOKAK,
DIST. BELAGAVI-593107.

...APPELLANT

(BY SRI SANTOSH HATTIKATAGI, ADVOCATE)

AND:

1. SHRI SHIVARAJ S/O. UPPASHEPPA KICHADI,
   AGE. MAJOR, OCC. BUSINESS,
   R/AT. WARD NO.11, 5TH CROSS,
   JYOTI COLONY, VIDYAGIRI,
   BAGALKOT-587102,
   TQ. AND DIST. BAGALKOT.

2. THE LAW OFFICER,
THE HDFC ERGO GENERAL INSURANCE CO. LTD.,
THROUGH ITS BRANCH MANAGER,
BRANCH OFFICE, 1ST FLOOR,
VIRUPAKSHAKRUPA, OPP KIMS,
MAIN GATE, P.B. ROAD,
VIDYA NAGAR, HUBBALLI-580021.

…RESPONDENTS

(BY SRI.SUBHASH J. BADDI, ADVOCATE)

THIS MISCELLANEOUS FIRST APPEAL IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLES ACT, 1988, PRAYING TO SET ASIDE THE JUDGMENT AND AWARD DATED 21.09.2023 PASSED IN MVC NO.2225/2021 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE AND ADDITIONAL MOTOR ACCIDENT CLAIMS TRIBUNAL, GOKAK, BY ENHANCING THE COMPENSATION AS PRAYED FOR IN THE CLAIM PETITION BY ALLOWING THIS APPEAL, INN THE INTEREST OF JUSTICE AND EQUITY.

THIS MISCELLANEOUS FIRST 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 and the representative of Insurance Company along with its counsel are present.

2. After prolonged negotiations, the matter is settled. The claimant has agreed to receive and the Insurance Company has agreed to pay a global compensation of Rs.1,36,000/- (Rupees one lakh thirty-six 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. Same is accepted.

3. The said amount shall be released in favour of the claimant.

4. The 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.

5. 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

CT: UMD.
RHR/-