HIGH COURT LEGAL SERVICES COMMITTEE, KALABURAGI

BEFORE THE LOK-ADALAT

IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 8TH DAY OF MARCH, 2025

CONCILIATORS PRESENT

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

AND

SRI SUDHIRSINGH R VIJAPUR, MEMBER

M.F.A. NO.201930 of 2024 (MV-D)

Lok Adalat No.72/2025

BETWEEN:

1. MOOSA @ MUSTAFA S/O AMEERSAB SAGARI,
   AGE: 65 YEARS, OCC: NIL,

2. ULAFATBI W/O MOOSA @ MUSTAFA SAGARI,
   AGE: 57 YEARS, OCC: HOUSEHOLD WORK,

3. TASALIM W/O MAHEBOOB SAGARI,
   AGE: 32 YEARS, OCC: HOUSEHOLD WORK,

4. ABDUL RAHEMAN S/O MAHEBOOB SAGAR,
   AGE: 06 YEARS, OCC: NIL,
   MINOR U/G OF PETITIONER NO.3,

   ALL ARE R/O PITAPUR, TQ. AKKALAKOT,
   DIST. SOLAPUR-416 416.

...APPELLANTS

(BY SRI. SANGANAGOUDA V. BIRADAR, ADVOCATE)

AND:

1. SAJJAD AHMED S/O ABDUL HAI SHAIKH,
   AGE: 45 YEARS, OCC: BUSINESS,
   R/O H.NO. 346, MUSLIM PACHHA PETH,
   SOLAPUR-413 001.

2. THE BRANCH MANAGER,
   NEW INDIA ASSURANCE CO. LTD.,
   HANAMSHETTY BUILDING,
   GURUKUL ROAD, VIJAYAPURA-586 101.

...RESPONDENTS

(BY RAHUL R. ASTURE, ADV. FOR R2;
V/O DTD. 22.01.2025, NOTICE TO R1 IS D/W)

THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO ALLOW THE CLAIM PETITION THE JUDGEMENT AND AWARD DATED 04-12-2021 PASSED BY THE IV ADDITIONAL DISTRICT AND SESSIONS JUDGE AND MEMBER, MACT-XIII, VIJAYAPUR IN MVC NO. 1109/2019 AND ENHANCE THE COMPENSATION.

THIS APPEAL COMING ON FOR CONCILIATION BEFORE LOK ADALAT, THIS DAY, THE FOLLOWING ORDER IS PASSED:

CONCILIATION ORDER

The learned counsel for the Appellants/Claimants and the representative of Respondent-Insurance Company along with its counsel are present.

2. After prolonged negotiations, the matter is settled. The Appellants/Claimants have agreed to receive and the Respondent-Insurance Company has agreed to pay a lump-sum of compensation of Rs.11,50,000/- (Rupees Eleven Lakhs Fifty 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 order of apportionment and deposit ordered by the Tribunal shall hold good for the compensation awarded in this appeal.

4. 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.

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/-
(C.M.JOSHI)
JUDGE

Sd/-
(SUDHIRSINGH R VIJAPUR)

SMP