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 VIJAYKUMAR A.PATIL

AND

SRI. LIYAQAT FAREED USTAD, MEMBER

M.F.A. NO.204128 of 2023 (MV)

Lok Adalat No.40/2025

BETWEEN:

ANITA W/O LATE MALLIKARJUN,
AGE: 39 YEARS, OCC: HOUSEHOLD,
RESIDENT OF YERNALLI VILLAGE,
TQ AND DIST: BIDAR, NOW RESIDING AT
H NO. 8-8-225 EWS 39 KHB COLONY, BIDAR-584101.

...APPELLANT

(BY SRI BABU H METAGUDDA)

AND:

1. CHINDAM RAMESH S/O CHINDAM PENTAIAH,
   AGE: MAJOR, OCC: BUSINESS, RESIDENT OF
   H NO. 1-74, VILLAGE MORGI NAGALGIDHA SANGAREDDY
   TS. REGISTERED OWNER OF OFFENDED MOTOR CYCLE
   NO. TS-15/EP 5579,

2. THE BRANCH MANAGER,
   NATIONAL INSURANCE CO LTD.,
   BRANCH OFFFICE VEERBHADRSHEWARA CHAMBERS
   DOOR 8-10-135/1 AND 1A, OPP NEHARU STADIUM
   BIDAR- 584101.

…RESPONDENT

(BY SRI RAHUL R. ASTURE; NOTICE TO R1 IS DISPENSED WITH VIDE ORDER DATED 26.11.2024)

THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO ALLOW THIS APPEAL AND MODIFY THE JUDGMENT AND AWARD DATED 23-01-2023

PASSED IN MVC NO. 628/2021 BY THE ADDL. SENIOR CIVIL JUDGE AND JMFC-BIDAR AND MOTOR ACCIDENT CLAIMS TRIBUNAL AT-BIDAR. AND ENHANCING THE COMPENSATION FROM RS. 8,53,600/- WITH 6 PERCENT INTEREST TO RS. 28,00,000/- WITH 12 PERCENT INTEREST.

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

CONCILIATION ORDER

The learned counsel for the Appellant/Claimant 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 lump-sum of compensation of Rs. 6,40,000/- (Rupees Six Lakh 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. Same is accepted.

3. Out of the compensation awarded, Rs.3,00,000/- shall be released in favour of the claimant and remaining amount of Rs.3,40,000/- is to be deposited in any nationalized bank or scheduled bank of claimant’s choice for a period of three years.

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/-
(VIJAYKUMAR A. PATIL)
JUDGE

Sd/-
(LIYAQAT FAREED USTAD)
MEMBER

NJ