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.203943 of 2023 (MV-I)

Lok Adalat No.187/2025

BETWEEN

HANMANTA @ DYANAND S/O THOMAS,
AGE: 28 YEARS, OCC: DRIVER (NOW NIL),
R/O NEAR CHURCH MUDALAGUNDA, RAICHUR,
NOW RESIDING AT DON BOSCO SCHOOL,
TQ. AND DIST. YADGIRI.

...APPELLANT

(BY SRI. AMARESHWAR S. RAWOOR, ADVOCATE)

AND

1. SIDDARAMREDDY S/O BASAVANTHRAYA,
   AGE: 51 YEARS, OCC: OWNER OF LORRY,
   BEARING REG. NO. KA-36/B-4338,
   R/O H.NO. 44-111, CHIKSUGUR,
   TQ. AND DIST. RAICHUR.

2. CHOLAMANDALAM MS GENERAL INS. CO. LTD.,
   UNIT NO. 4, LEVEL GOLDEN HEIGHTS COMPLEX,
   59 C-CROSS, INDUSTRIAL SABRAB RAJAJI NAGAR,
   BENGALURU-560 010.

...RESPONDENTS

(BY SRI. MANJUNATH MALLAYYA SHETTY, ADV. FOR R2)

THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLES ACT, PRAYING TO ALLOW THE APPEAL, THE JUDGEMENT AND AWARD DATED 25.07.2023 PASSED IN MVC NO.56/2022 BY THE MEMBER MACT II, YADAGIRI, MAY KINDLY BE MODIFIED BY ENHANCING THE COMPENSATION AS CLAIMED IN THE CLAIM PETITION.

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.8,00,000/- (Rupees Eight Lakhs 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)
MEMBER

SMP