

Shivkanta vs Naveed and Anr

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Court : Karnataka Kalaburagi

Decided On : Mar-08-2025

Judge : Lok Adalath

Appeal No. : MFA/201048/2024

Appellant : Shivkanta

Respondent : Naveed and Anr

Judgement :

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 HONBLE MR. JUSTICE C.M.JOSHI AND SRI SUDHIRSINGH R VIJAPUR, MEMBER M.F.A. NO.201048 of 2024 (MV-I) Lok Adalat No.14/2025 BETWEEN SHIVKANTA W/O SHIVARAJ, AGE: 32 YEARS, OCC: HOUSEWIFE AND LABOUR (NOW NIL), R/O VILLAGE AYASPUR, TQ. BIDAR, DIST. BIDAR-585 403. ...APPELLANT (BY SRI. BASAVARAJ R. MATH, ADVOCATE) AND

1. NAVEED S/O M. NAYUM, AGED : MAJOR OCC: BUSINESS, R/O 6/140, FAQRUDDIN COLONY, MANNAEKHELLI, TQ. CHITGUPPA, DIST. BIDAR-585 227.

2. M/S CHOLAMANDALAM MS GENERAL INS. CO. LTD., 2ND FLOOR, DARE HOUSE NO. 2, NSC BOSE ROAD, CHENNAI-600 001, (POLICY NO. 3397/03278712/000/00 VALID FROM 11.01.2022 TO 10.01.2023). RESPONDENTS (BY SRI. MANJUNATH MALLAYYA SHETTY, ADV. FOR R2; (V/O DTD. 01.07.2024, NOTICE TO R1 IS DISPENSED WITH) THIS MFA IS FILED UNDER SECTION 173(1) OF THE

MOTOR VEHICLES ACT, PRAYING TO MODIFY THE ENHANCE AMOUNT THE IMPUGNED JUDGMENT AND AWARD DATED 02.01.2024 PASSED BY THE PRL. SENIOR CIVIL JUDGE AND CJM AND ADDL. MACT., BIDAR IN MVC NO.263/2022. 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.1,30,000/- (Rupees One Lakh Thirty 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 entire amount shall be released in favour of the Claimant.

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. (C.M.JOSHI) JUDGE (SUDHIRSINGH R VIJAPUR) SMP

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