

Halima vs Alla Bhakash

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Court : Karnataka

Decided On : Jan-21-2025

Judge : Lok Adalath

Appeal No. : MFA/4390/2021

Appellant : Halima

Respondent : Alla Bhakash

Judgement :

HIGH COURT LEGAL SERVICES COMMITTEE, BENGALURU
BEFORE THE LOK ADALAT

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 21ST DAY OF JANUARY 2025 CONCILIATORS
PRESENT: THE HONBLE MR. JUSTICE T.G.SHIVASHANKARE
GOWDA & SMT. PARINEETA S. CHANAL, MEMBER M.F.A.No.
4390/2021 (MV) (Lok Adalat No. 15/2025) BETWEEN Halima W/o Late
Riyaz Whab Shaik @ Riyaz Shaik, Now aged about 39 years, R/at 1st
Main Road, Dibbur Janatha Colony, Near Anjaneya Temple, Tumakuru.
Appellant. (BY SRI. RAGHU R., ADVOCATE) AND:

1. Alla Bhakash S/o Ameer Jan, Aged about 41 years, R/at 21/A, Majid Colony, Ammasandra, Hadavanahalli Post, Ammasandra Hobli, Turuvekere Taluk, Tumkur District - 572 101.
2. The Manager, Sri Ram General Insurance Co. Ltd., Branch Office, Akshara Towers, Devarachikkahalli Road, Bilehalli, Bannerughatta Main Road, Bengaluru - 76.
3. Nayaz Pasha @ Nayaz Riyaz Pasha S/o Late Riyaz Sheik @ Riyaz Whab Sheik @ Ayaz Sheik, Now aged about 24 years.
4. Fayaz Riyaz Sheik Riyaz Whab Sheik @ Ayaz Sheik, Now aged about 15 years.
5. Ayaz Riyaz Sheik Riyaz Whab Sheik @ Ayaz Sheik, Now aged about 10 years.
6. Shafia D/o Late Riyaz Sheik @ Riyaz Whab Sheik @ Ayaz Sheik, Now Aged about 11 years. The Respondents No.4 to 6 are minors Rep. by their N/G brother Respondent No.3. Respondent Nos.3 to 6 are R/a 9th Cross, Marlur Dinne, Tumakuru - 572 101. Respondents (BY SRI. B. PRADEEP, ADVOCATE FOR R-2) MFA FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND

AWARD DATED 19.12.2020 PASSED IN MVC NO.964/2018 ON THE FILE OF THE III ADDL. DISTRICT & SESSIONS JUDGE AND MACT, TUMAKURU, PARTLY ALLOWING THE PETITION FOR COMPENSATION AND SEEKING FOR ENHANCEMENT OF COMPENSATION. THIS APPEAL COMING ON FOR CONCILIATION BEFORE LOK ADALAT, THE FOLLOWING CONCILIATION ORDER IS PASSED:

CONCILIATION ORDER

The learned Counsel appearing for the Appellant - Claimant is present. The learned Counsel appearing for the Respondent - Insurance Company along with

its representative are present.

2. After prolonged negotiations, the matter is settled. A joint memo signed

by the learned advocate appearing for the appellant/claimant (being authorized by the appellant/claimant to sign) and the learned advocate appearing for the respondent - Insurance Company and its authorized officer is filed. The appellant-claimant has agreed to receive and the respondent - Insurance Company has agreed to pay a lump-sum of Rs.48,000/- (Rupees Forty Eight Thousand only) in addition to what has been awarded by the Tribunal, in full and final settlement of the claim.

3. 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.

4. The entire enhanced compensation amount shall be released in favour of the appellant / claimant, on proper identification.

5. This Miscellaneous First Appeal stands disposed of in terms of the Joint memo. The Judgment and Award of the Tribunal shall stand modified accordingly. Draw up the Award accordingly. JUDGE MEMBER Rbv

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