IN THE HIGH COURT OF KARNATAKA,

DHARWAD BENCH

DATED THIS THE 2ND DAY OF DECEMBER, 2024

BEFORE

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

MISCELLANEOUS FIRST APPEAL NO. 101705 OF 2023 (MV-D)

BETWEEN:

SRI YALLAPPA S/O RANGAPPA HOSAMANI
AGE. 29 YEARS, OCC ARMY SERVICE,
R/O. MEG CENER 9/13 G PLN TV COY,
TQ. -3 M S NAGAR,.
BENGALURU-560033

...APPELLANT

(BY SRI. SRINIVAS B. NAIK, ADVOCATE)

AND:

1. SMT. VIDYAVATI W/O PRAKASH GHATNATTI
   AGE. 45 YEARS, OCC. HOUSEHOLD WORK,

2. KUMAR PRAVEEN S/O PRAKASH GHATNATTI
   AGE. 22 YEARS, OCC. STUDENT

Digitally signed by SAROJA HANGARAKI
Location: High Court of Karnataka

3. KUMAR SHIVAPPA S/O PRAKASH GHATNATTI
   AGE. 20 YEARS, OCC. STUDENT,

4. SMT. GANGAVVA W/O PARAPPA GHATNATTI
   AGE. 65 YEARS, OCC. HOUSEHOLD WORK,

   ALL ARE RESIDENTS OF MALAPUR VILLAGE,
   TALUKA -MUDHOL, DIST. BAGALKOT.

5. SRI VITTAL S/O HOLEPPA JOGI
   AGE. 35 YEARS, OCC. AGRICULTURE,
   R/O BUDNI B K VILLAGE,
   TALUKA -MUDHOL, DIST. BAGALKOT

...RESPONDENTS

MFA FILED UNDER SECTION 173(1) OF MOTOR VEHICLE ACT, 1988, AGAINST THE JUDGMENT AND AWARD DATED 24.01.2023 PASSED IN MVC NO.30/2022 ON THE FILE OF THE PRINCIPAL SENIOR CIVIL JUDGE AND MEMBER, JUDICIAL MAGISTRATE FIRST CLASS, AND MOTOR VEHICLE ACCIDENT CLAIM TRIBUNAL-IX, MUDHOL, IN SO FAR AS FIXING THE LIABILITY OF THE APPELLANT TO THE EXTENT OF 50% OF THE COMPENSATION AND IN THE INTEREST OF JUSTICE AND EQUITY.

THIS APPEAL, COMING ON FOR ORDERS, THIS DAY, THE COURT DELIVERED THE FOLLOWING:

CORAM: THE HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

(PER: THE HON'BLE MR. JUSTICE C.M. POONACHA)

This Court, vide order dated 08.02.2024, has ordered as follows:

> *"Finally, two weeks' time is granted to comply with the office objections, failing which, the matter be listed for dismissal."*

2. Till date office objections have not been complied with. Hence, the above matter has been listed this day.

3. Even today, the matter was passed over in the morning session and the learned counsel was permitted to comply with the office objections and the matter was called in the afternoon session. However, the office objections have not been complied with.

4. Having regard to the order dated 08.02.2024, the above appeal is dismissed for non compliance of office objections.

SD/-
(C.M. POONACHA)
JUDGE

PMP
List No.: 2 Sl No.: 150