HC-KAR

NC: 2025:KHC:20489
MFA No. 1596 of 2016
C/W MFA No. 1597 of 2016

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 16TH DAY OF JUNE, 2025

BEFORE

THE HON'BLE MR JUSTICE UMESH M ADIGA

MISCELLANEOUS FIRST APPEAL NO. 1596 OF 2016 (MV-I)

C/W

MISCELLANEOUS FIRST APPEAL NO. 1597 OF 2016 (MV-I)

IN MFA No. 1596/2016

BETWEEN:

SMT. DAISY SUNNY,
W/O C.K. SUNNY,
AGED ABOUT 38 YEARS,
R/O NO.121, ST. PAULS MISSION OF INDIA,
VEDARAMANCHENAHALLI, JIGANI HOBLI,
KALLUBALU POST, ANEKAL TALUK, BANGALORE.

...APPELLANT

(BY SRI. MATHACHAN VARGHESE, ADVOCATE (ABSENT))

Digitally signed by KAVYA R
Location: High Court of Karnataka

AND:

1. SRI. REVA,
(44 YEARS)
S/O SIDDAPPA,
RA/T BANDE MARASANDRA,
HAROHALLI HOBLI,
KANAKAPURA TALUK,
DRIVER OF KA-42-T-3507.

2. SMT. KAMALAMMA
(MAJOR)
D/O MADE GOUDA,

R/AT CHIKKANADODDI,
KARIKALDODDI POST,
KANAKAPURA TALUK,
OWNER OF KA-42-T-3507.

3. TATA AIG GENERAL INSURANCE CO. LTD.,
2ND FLOOR, JP & DEVI JAMBUKESWARI ARCADE,
69, MILLERS ROAD, BANGALORE - 560 052.
REP. BY ITS BRANCH MANAGER

…RESPONDENTS

(BY SRI. H.S. LINGARAJU, ADVOCATE FOR R3;
VIDE ORDER DATED 17.01.2018, NOTICE TO R1 AND R2 IS DISPENSED WITH)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 07.11.2015 PASSED IN MVC NO.1369/2012 ON THE FILE OF THE I ADDL,SMALL CAUSE JUDGE AND XXVII ACMM MACT, BANGALORE, SCCH-11, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

IN MFA NO. 1597/2016

BETWEEN:

SRI. SUNNY C.K
S/O C.C. KURIAKOSE,
AGED ABOUT 46 YEARS,
R/O NO.121, ST.PAULS MISSION OF INDIA,
VEDARAMANCHENAHALLI, JIGANI HOBLI,
KALLUBALU POST, ANEKAL TALUK, BANGALORE.

...APPELLANT

(BY SRI. MATHACHAN VARGHESE, ADVOCATE (ABSENT))

AND:

1. SRI. REVA,
(44 YEARS)

S/O SIDDAPPA,
RA/T BANDE MARASANDRA,
HAROHALLI HOBLI,
KANAKAPURA TALUK,
DRIVER OF KA-42-T-3507.

2. SMT. KAMALAMMA
(MAJOR)
D/O MADE GOUDA,
R/AT CHIKKANADODDI,
KARIKALDODDI POST,
KANAKAPURA TALUK,
OWNER OF KA-42-T-3507.

3. TATA AIG GENERAL INSURANCE CO. LTD.,
2ND FLOOR, JP & DEVI JAMBUKESWARI ARCADE,
69, MILLERS ROAD, BANGALORE - 560 052.
REP. BY ITS BRANCH MANAGER

...RESPONDENTS

(BY SRI. H.S. LINGARAJU, ADVOCATE FOR R3;
VIDE ORDER DATED 17.01.2018, NOTICE TO R1 AND R2 IS DISPENSED WITH)

THIS MFA FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 07.11.2015 PASSED IN MVC NO.1370/2012 ON THE FILE OF THE I ADDL. SMALL CAUSE JUDGE AND XVII ACMM MACT, BANGALORE (SCCH-11), PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THESE APPEALS, COMING ON FOR ADMISSION, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE UMESH M ADIGA

ORAL JUDGMENT

None appears for the appellant in both the cases.

2. Learned counsel for respondent No.3 submits that copy of the appeal memo has not been served on respondent No.3. Even on the earlier occasion, there was no representation on behalf of appellant.

3. It appears that appellant is not interested to prosecute the case. Hence, both the appeals are dismissed for ***non-prosecution.***

Send back Trial Court Records.

Sd/-
(UMESH M ADIGA)
JUDGE

AMA
List No.: 1 Sl No.: 11