HC-KAR

CNR: KAHC010002582023

NC: 2026:KHC:60894
MFA No. 171 of 2023
C/W MFA No. 183 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 30TH DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MRS. JUSTICE GEETHA K.B.

MISCELLANEOUS FIRST APPEAL NO. 171 OF 2023 (MV-D)

C/W

MISCELLANEOUS FIRST APPEAL NO. 183 OF 2023 (MV-D)

IN MFA No. 171/2023

BETWEEN:

M/S. NATIONAL INSURANCE CO. LTD.,
REGIONAL OFFICE,
REPRESENTED BY ITS
REGIONAL MANAGER,
SHUBHARAM COMPLEX,
2ND FLOOR, NO.144,
M G ROAD,
BANGALORE - 560 001.

…APPELLANT

(BY SRI SHANKARA REDDY C., ADVOCATE)

AND:

1. SRI.SURESH KULAL,
   S/O SOMA KULAL,
   AGED ABOUT 50 YEARS,

Digitally Signed By:
K B GEETHA

2. SMT. PARVATHI,
W/O SURESH KULAL,
AGED ABOUT 45 YEARS,

3. SRI. RANJITH,
S/O SURESH KULAL,
AGED ABOUT 26 YEARS,

4. SRI. RAJATH,
S/O SURESH KULAL,
AGED ABOUT 24 YEARS,

RESPONDENTS NO.1 TO 4 ARE
RESIDING AT MOLAHALLI VILLAGE AND POST,
KUNDAPURA TALUK,
UDUPI DISTRICT.

5. SRI. VINITH KUMAR PANDAY,
S/O NAGENDRA PANDAY,
AGED ABOUT 30 YEARS,
R/AT NO.10/H, 2ND CROSS,
K.I.A.D.B. QUARTERS, NEAR TVS CROSS,
PEENYA, BANGALORE CITY,
KARNATAKA.

6. SRI. SHRINIVASA BABU T,
S/O THIPPE RUDRA SWAMY,
AGED ABOUT 45 YEARS,
R/AT 4TH CROSS,
NEAR MARUTHI TALKIES,
RAJAGOPALA NAGAR,
PEENYA, BANGALORE CITY,
KARNATAKA.

…RESPONDENTS

(BY SRI. MAHESH KIRAN SHETTY S., ADV. FOR R1 TO R4;

NOTICE TO R5 AND R6 IS HELD SUFFICIENT VIDE ORDER DATED 17.03.2025;
R5 - VINITH KUMAR PANDY; R6 - SHRINIVASA BABU T)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 05.07.2022 PASSED IN MVC NO.1045/2017 ON THE FILE OF THE SENIOR CIVIL JUDGE AND ADDITIONAL MACT, KUNDAPURA AWARDING COMPENSATION OF RS.6,69,199/- WITH INTEREST AT 6 PERCENT P.A. FROM THE DATE OF PETITION TILL DATE OF DEPOSIT.

IN MFA NO. 183/2023

BETWEEN:

1. M/S. NATIONAL INSURANCE CO. LTD.,
REGIONAL OFFICE,
REPRESENTED BY ITS
REGIONAL MANAGER,
SHUBHARAM COMPLEX,
2ND FLOOR, NO.144,
M.G.ROAD,
BANGALORE - 560 001.

...APPELLANT

(BY SRI SHANKARA REDDY C., ADVOCATE)

AND:

1. SRI. R.S.MANJUNATHA,
S/O SRINIVASA,
AGED ABOUT 47 YEARS,

2. SMT. SHAKUNTHALA,
W/O R.S.MANJUNATHA,
AGED ABOUT 43 YEARS,

3. KUMARI M. DIVYA,
D/O R.S.MANJUNATHA,
AGED ABOUT 19 YEARS,

RESPONDENTS NO.1 TO 3 ARE
RESIDING AT KANDIGADDE,
MOLAHALLI VILLAGE AND POST,
KUNDAPURA TALUK,
UDUPI DISTRICT.

4. SRI. VINITH KUMAR PANDAY,
S/O NAGENDRA PANDAY,
AGED ABOUT 30 YEARS,
R/AT NO.10/H, 2ND CROSS,
K I A D B QUARTERS,
NEAR T V S CROSS,
PEENYA, BANGALORE CITY,
KARNATAKA.

5. SRI. SHRINIVASA BABU T,
S/O THIPPE RUDRA SWAMY,
AGED ABOUT 45 YEARS,
R/AT 4TH CROSS,
NEAR MARUTHI TALKIES,
RAJAGOPAL NAGAR,
PEENYA, BANGALORE CITY,
KARNATAKA.

...RESPONDENTS

(BY SRI. MAHESH KIRAN SHETTY S., ADV. FOR R1 TO R3;
NOTICE TO R4 AND R5 IS HELD SUFFICIENT VIDE

ORDER DATED 17.03.2025;
R4 - VINITH KUMAR PANDAY,
R5-SHRINIVAS BABU T)

THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 05.07.2022 PASSED IN MVC NO.1046/2017 ON THE FILE OF THE SENIOR CIVIL JUDGE AND ADDITIONAL MACT, KUNDAPURA, AWARDING COMPENSATION OF RS.6,27,919/- WITH INTEREST AT 6 PERCENT P.A. FROM THE DATE OF PETITION TILL THE DATE OF DEPOSIT.

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

CORAM: HON'BLE MRS. JUSTICE GEETHA K.B.

ORAL JUDGMENT

1. The learned counsel for the appellant in both appeals has filed a memo for withdrawal of the appeals.

2. The memo reads as follows:

"The Advocate for the Appellant respectfully submits that, in view of the instructions received by the Appellant's Company the Appeal may be dismissed as not pressed and the amount in

deposit may be transmitted to the Tribunal for payment, in the interest of justice. Hence this memo."

3. In view of the memo, both the appeals are ***dismissed as withdrawn***.

4. The amount in deposit be transmitted to the Tribunal.

Digitally Signed By:
K B GEETHA

(GEETHA K.B.)
JUDGE

LL
List No.: 1 Sl No.: 34