



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 26TH DAY OF MARCH, 2026

PRESENT

THE HON'BLE MR. JUSTICE D K SINGH

AND

THE HON'BLE MR. JUSTICE T.M.NADAF

MISCELLANEOUS FIRST APPEAL NO. 5007 OF 2019 (MV-)

BETWEEN:

THE CLAIM MANAGER,
CHOLAMANDALAM MS GENERAL
INSURANCE COMPANY LIMITED,
1ST FLOOR,DARE HOUSE,
2ND NSC, BOSE ROAD,
CHENNAI - 600 001.

BY
THE CLAIMS MANAGER,
CHOLAMANDALAM MS GENERAL
INSURANCE COMPANY LIMITED,
UNIT NO.04,
NINTH FLOOR (LEVEL-06),
"GOLDEN HEIGHTS" COMPLEX,
59TH "C" CROSS,
INDUSTRIAL SUBURB,
RAJAJINAGAR 4TH 'M' BLOCK,
BENGALURU - 560 010.

...APPELLANT

(BY SRI. O.MAHESH, ADVOCATE)

AND:

1. B.T. PREMA,
AGED ABOUT 36 YEARS,
W/O. LATE K.N. BHASKAR,





2. K.B. SUHAS,
AGED ABOUT 19 YEARS,
S/O. LATE K.N. BHASKAR,
3. K.N. NARASIMHAIAH,
AGED ABOUT 68 YEARS,
S/O LATE NARASIAH,
4. JAYAMMA,
AGED ABOUT 58 YEARS,
W/O. K.N. NARASIMHAIAH,

ALL ARE RESIDING AT:
LAKSHMINARASIMHASWAMY NILAYA,
NEAR RURAL DEVELOPMENT OFFICE,
SANJAY NAGAR, MYDALA CROSS,
KYATHSANDRA,
TUMAKURU - 572 101.

5. HONNASIDDAPPA,
MAJOR,
S/O SADASHIVAIAH,
R/O KARADIGERE VILLAGE,
MAKANAHALLI POST,
HEBBUR HOBLI,
TUMAKURU TALUK - 572 101.

...RESPONDENTS

(BY SRI. SUDHANVA D S., ADVOCATE FOR R1 TO R4,
R5 SERVED)

THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT
AGAINST THE JUDGMENT AND AWARD DATED:01.02.2019
PASSED IN MVC NO.390/2017 ON THE FILE OF THE IIND
ADDITIONAL DISTRICT AND SESSIONS JUDGE, TUMAKURU,
AWARDING COMPENSATION OF RS.18,75,000/- WITH
INTEREST AT 6% P.A. FORM THE DATE OF PETITION TILL
DEPOSIT.



THIS APPEAL, COMING ON FOR HEARING, THIS DAY,
JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE D K SINGH
and
HON'BLE MR. JUSTICE T.M.NADAF

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE D K SINGH)

When the matter was taken up, the learned counsel for the appellant was not present neither in the first call nor in the revised call, and there is no representation on behalf of the appellant. Therefore, the appeal is ***dismissed for non-prosecution.***

**Sd/-
(D K SINGH)
JUDGE**

**Sd/-
(T.M.NADAF)
JUDGE**

PK
List No.: 2 Sl No.: 12
ct-vn