



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MRS. JUSTICE P SREE SUDHA

**MISCELLANEOUS FIRST APPEAL NO. 10735 OF 2013 (MV-
D)**

BETWEEN:

1. SRI K AHAMMAD
S/O ISMAIL
AGED ABOUT 58 YEARS
R/AT PARNEER KATTE HOUSE
KABAKA VILLAGE
PUTTUR TALUK
D K DISTRICT - 574 201.
2. SMT AJIRA
W/O SRI K AHAMMAD
AGED ABOUT 43 YEARS
R/AT PARNEER KATTE HOUSE
KABAKA VILLAGE
PUTTUR TALUK
D K DISTRICT - 574 201.

...APPELLANTS

(A1 AND A2 ARE ABSENT)

AND:

1. SRI K MOHAMMAD SHAREEF
S/O LATE P S ABDUL KHADAR
AGED ABOUT 42 YEARS
R/AT KASTHOORY NIVAS
KULA VILLAGE





BANTWAL TALUK
D K - 574 279.

2. THE BRANCH MANAGER
THE ORIENTAL ASSURANCE CO LTD
NO.44/ANANTH COMPLEX
N H 4,
PEENYA 1ST STAGE
TUMKUR ROAD
BANGALORE - 560 058.
3. THE BRANCH MANAGER
THE RELIANCE GENERAL INSURANCE CO LTD
MAXIOMUS COMMERCIAL COMPLEX
4TH FLOOR, LIGHT HOUSE ROAD
HAMPANAKATTA
MANGALORE - 575001.

...RESPONDENTS

(R1 AND R2 SERVED)

THIS MFA IS FILED U/S 173(1) OF MV ACT PRAYING TO
SET ASIDE THE JUDGMENT AND AWARD DATED 30.03.2013
MADE IN MVC NO.1074/2010 BY THE PRINCIPAL SENIOR
CIVIL JUDGE AND M.A.C.T., PUTTUR, D.K., IN THE INTEREST
OF JUSTICE AND ETC.

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



CORAM: HON'BLE MRS. JUSTICE P SREE SUDHA

ORAL JUDGMENT

This Court by order dated 06.01.2026 has observed that appellant No.1 died and in spite of service of notice to appellant No.2, he did not appeared.

2. Even after passing the conditional order on 06.01.2026, appellant No.2 has fails to evince any interest to pursue the litigation. This Court finds that there is no purpose is served in continuing the same. Accordingly, the appeal is ***dismissed*** for non-prosecution.

**Sd/-
(P SREE SUDHA)
JUDGE**

PHM
List No.: 1 Sl No.: 41