



NC: 2026:KHC:11281
MFA No. 1571 of 2020

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

MISCELLANEOUS FIRST APPEAL NO.1571 OF 2020(MV-I)

BETWEEN:

JOHN ANGELLO FERNANDES
NOW AGED 49 YEARS
S/O CYPRIAN FERNANDES,
R/O AHSOKNAGAR,
BEHIND DEREBAIL CHURCH
MANGALORE
DAKSHINA KANNADA DISTRICT
PIN-575001

...APPELLANT

(BY SRI. VISHWANATHA POOJARY K, ADVOCATE [ABSENT])

AND:

1. SHAIL SHAMSHUDDIN
NOW AGED 40 YEARS,
S/O S NIZAMUDDIN,
R/O 17/87/7/B,
KISHAN SINGH STREET,
ATMAKUR KURNOOL,
ANDRAPRADESH, PIN-518422
2. THE BRANCH MANAGER
NEW INDIA ASSURANCE CO. LTD
DIVISIONAL OFFICE, 4TH FLOOR,
"FORTUNE", OPP. ATHENE HOSPITAL,
AVERY JUNCTION, FALNIR,
MANGALORE,



DAKSHINA KANNADA DISTRICT
PIN-575 001.

...RESPONDENTS
(BY SRI. A.M.VENKATESH., ADVOCATE FOR R2)

THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 07.03.2019 PASSED IN MVC NO. 171/2018 ON THE FILE OF THE V ADDITIONAL DISTRICT AND SESSIONS JUDGE AND MEMBER, ADDITIONAL MACT, PUTTUR, DAKSHINA KANNADA, SITTING AT PUTTUR, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS MFA, COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

1. The report of the registry is that the court notice has been received by the wife of the appellant, on his behalf, on 07.02.2026.
2. Despite receipt of notice, none appears for the appellant, today. It seems clear that the appellant is not interested in prosecuting this appeal. The appeal is



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accordingly ***dismissed for non-prosecution.*** All pending applications stand closed.

(TARA VITASTA GANJU)
JUDGE

BMV*
List No.: 1 Sl No.: 3