



IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE RAVI V.HOSMANI

MISCELLANEOUS FIRST APPEAL NO. 20556 OF 2012

C/W

MFA CROSS OBJ NO. 862 OF 2013

IN MFA NO. 20556/2012
BETWEEN:

1. THE EXECUTIVE ENGINEER,
MINOR IRRIGATION DEPT.,
SUB DIVISION, DHARWAD.
2. THE ASSISTANT EXECUTIVE ENGINEER,
MINOR IRRIGATION, SUB DIVISION,
HANGAL, DIST: HAVERI.
3. THE DEPUTY COMMISSIONER,
HAVERI DISTRICT, HAVERI.
REPTD. BY GOVERNMENT OF KARNATAKA.
4. THE DIRECTOR,
KARNATAKA GOVERNMENT INSURANCE DEPARTMENT,
MOTOR BRANCH, BANGALORE.

...APPELLANTS

(BY SRI PRAVEENA Y. DEVAREDDIYAVARA, HCGP)

AND:

1. ALLABAKSH S/O MOHAMEDGOUSE INAMDAR,
AGE : 42 YEARS, OCC : MECHANIC AND
OWNER OF DADAPEER GENERAL ENGINEERING WORKS,
R/O. AKKI-ALUR, TQ : HANGAL, DIST : HAVERI.
2. SHILARUDDIN S/O SAHEBIJAN KHAZISAB
AGE : MAJOR, OCC: DRIVER OF MINOR
IRRIGATION DEPARTMENT, JEEP REG.NO.CAG-5265,
R/O. HANAGAL, TQ : HANGAL.

...RESPONDENTS

(BY SRI CHANDRASHEKAR M. HOSAMANI, ADVOCATE FOR R1;
NOTICE TO R2 IS SERVED)



THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLES ACT 1988, PRAYING TO SET ASIDE THE JUDGMENT AND AWARD DATED 24.06.2011 PASSED IN MVC NO.127/09 ON THE FILE OF THE SENIOR CIVIL JUDGE AND AMACT HANGAL IN THE INTEREST OF JUSTICE AND EQUITY & ETC.

IN MFA.CROB NO. 862/2013
BETWEEN:

ALLABAKSH S/O MOHAMEDGOUSE INAMDAR,
AGE: 43 YEARS, OCC: MECHANIC AND
OWNER OF THE DADAPEER GENERAL
ENGINEERING WORKS,
R/O: AKKI-ALUR, TQ: HANGAL, DIST: HAVERI.

...CROSS OBJECTOR

(BY SRI DINESH M. KULKARNI, ADVOCATE)

AND:

1. THE EXECUTIVE ENGINEER,
MINOR IRRIGATION DEPARTMENT,
SUB-DIVISION, DHARWAD, DIST. DHARWAD.
2. THE ASSISTANT EXECUTIVE ENGINEER,
MINOR IRRIGATION DEPARTMENT,
SUB-DIVISION, HANGAL, DIST. HAVERI.
3. THE DEPUTY COMMISSIONER,
HAVERI DISTRICT, HAVERI,
REPRESENTED BY GOVERNMENT OF KARNATAKA.
4. THE DIRECTOR,
KARNATAKA GOVERNMENT INSURANCE
DEPARTMENT, MOTOR BRANCH, BANGALORE.
5. SHILARUDDIN S/O SAHEBIJAN KHAZISAB,
AGE: MAJOR, OCC: DRIVER OF
MINOR IRRIGATION DEPARTMENT,
JEEP REG.NO.CAG-5265,
R/O: HANGAL, TQ: HANGAL, DIST. HAVERI.

...RESPONDENTS

(BY SRI PRAVEENA Y. DEVAREDDIYAVARA, HCGP FOR R1 TO R4)



NC: 2026:KHC-D:4496
MFA No. 20556 of 2012
C/W MFA.CROB No. 862 of 2013

THIS MFA.CROB IN MFA.NO.20556/2012 FILED U/O.41 RULE 22 OF CPC., R/W. SEC.173(1) OF MV ACT, 1988, AGAINST THE JUDGMENT AND AWARD DATED 24-06-2011 PASSED IN MVC.NO.127/2009 ON THE FILE OF THE SENIOR CIVIL JUDGE AND ADDL. MACT, HANGAL, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION & ETC.

THE APPEAL AND THE CROSS OBJECTION COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: THE HON'BLE MR. JUSTICE RAVI V.HOSMANI

ORAL ORDER

Matter is listed for non filing of application in respect of particulars of deceased respondent no.1.

2. It is seen that on 08.10.2025 learned counsel for respondent no.1 reported death of respondent no.1. Further, respondent no.1 in appeal is sole cross objector in cross objections. In neither of matters, steps are taken.

3. Hence, appeal as well as cross objections are ***dismissed as abated.***

**Sd/-
(RAVI V.HOSMANI)
JUDGE**

SMM, CT:VP
LIST NO.: 1 SL NO.: 1