



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 23RD DAY OF APRIL, 2026

PRESENT

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

AND

THE HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

MISCL. FIRST APPEAL NO.201227 OF 2023 (MV-D)

BETWEEN:

THE DIVISIONAL MANAGER,
NATIONAL INSURANCE COMPANY LTD.,
BRANCH OFFICE, BILGUNDI COMPLEX,
1ST FLOOR, STATION ROAD, KALABURAGI.

...APPELLANT

(BY SRI. DEEPAK V. BARAD, ADVOCATE)

AND:

1. KALAWATI W/O LATE SHARNAPPA,
AGE: 43 YEARS, OCC: HOUSEHOLD,
2. MAMTA D/O LATE SHARANAPPA,
AGE: 27 YEARS, OCC: STUDENT.
3. ANITA D/O LATE SHARANAPPA,
AGE: 25 YEARS, OCC: STUDENT.
4. PARTIBHA D/O LATE SHARANAPPA,
AGE: 24 YEARS, OCC: STUDENT.
RESPONDENT NO.1 TO 4 ARE
R/O DONGARGI VILLAGE,
TQ. BHALKI, DIST. BIDAR-585401.
5. KAPIL S/O DIGAMBER RAO MANKARI,
AGE: MAJOR, OCC: BUSINESS,
R/O AMBESANGAVI, TQ. BHALKI,
DIST.BIDAR-585401.

...RESPONDENTS





NC: 2026:KHC-K:3613-DB
MFA No. 201227 of 2023

THIS MFA IS FILED UNDER SECTION 173(1) OF THE MOTOR VEHICLE ACT, PRAYING TO ALLOW THE ABOVE MISC. FIRST APPEAL AND CONSEQUENTLY BE PLEASED TO MODIFY JUDGMENT AND AWARD DATED 29.10.2022 PASSED BY THE COURT OF THE SENIOR CIVIL JUDGE AND ADDL. MACT AT BHALKI IN M.V.C.NO.89/2018 AND PLEASED TO BE REDUCE THE COMPENSATION SUITABLE AND ALSO SHIFT THE LIABILITY ON THE RIDER OF A MOTORCYCLE (DECEASED), IN THE INTEREST OF JUSTICE AND EQUITY.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ
AND
HON'BLE DR. JUSTICE CHILLAKUR SUMALATHA

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ)

Despite orders, office objections have not been complied with. Accordingly, appeal is dismissed for non prosecution.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

Sd/-
(DR.CHILLAKUR SUMALATHA)
JUDGE

SRT
LIST NO.: 3 SL NO.: 3
CT:SI