



IN THE HIGH COURT OF KARNATAKA

KALABURAGI BENCH

DATED THIS THE 24TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

MISCL. FIRST APPEAL NO.200360 OF 2018 (MV-D)

BETWEEN:

1. ISMAILBEE W/O MAHEBOOB
@ MD. MAHEBOOBALI, AGE:24 YEARS,
OCC: HOUSEHOLD, R/O. MANNALLI,
TQ. & DIST. BIDAR-585 401.
2. JAINABEE D/O MAHEBOOB
@ MD. MAHEBOOBALI, AGE:5 YEARS,
M/U/G OF HER MOTHER PETITIONER NO.1
ISMAILBEE R/O. MANNALLI, TQ. &
DIST. BIDAR-585 401.
3. JOYABEE D/O MAHEBOOB
@ MD. MAHEBOOBALI, AGE:2 YEARS,
M/U/G OF HER MOTHER PETITIONER NO.1
ISMAILBEE R/O. MANNALLI, TQ. &
DIST. BIDAR-585 401.
4. NAADERA BEGUM D/O MAHEBOOB
@ MD. MAHEBOOBALI, AGE:1 YEAR,
M/U/G OF HER MOTHER PETITIONER NO.1
ISMAILBEE R/O. MANNALLI, TQ. &
DIST. BIDAR-585 401.
5. MD. MOULANA S/O MOCHISAB,
AGE: 65 YEARS, OCC: NIL,
R/O. MANNALLI, TQ. &
DIST. BIDAR-585 401.

Digitally signed by
SOMANATH
PENTAPPA MITTE
Location: HIGH
COURT OF
KARNATAKA



6. SAIJADABEE W/O MD. MOULANA,
AGE: 60 YEARS, OCC: NIL, R/O. MANNALLI,
TQ. & DIST. BIDAR-585 401.

...APPELLANTS

(BY SMT. NEEVA M. CHIMKOD, ADVOCATE)

AND:

1. CHANDRAKANTH S/O MALLAPPA,
AGE: MAJOR, OCC: BUSINESS & OWNER OF
LORRY NO.MH.11 M-3050, R/O. MANNALLI,
TQ. & DIST. BIDAR.
2. THE DIVISIONAL MANAGER,
NATIONAL INSURANCE COMPANY LTD,
MANAGER BRANCH OFFICE NATIONAL
INSURANCE COMPANY LTD, BIDAR- 585 401.
(UNDER POLICY NO.610403/31/13/6700004597
VALID FROM 06.11.2013 TO 05.11.2014)

...RESPONDENTS

(BY SMT. PREETI PATIL MELKUNDI, ADVOCATE FOR R2,
V/O DATED 04.07.2023 REQUIREMENT OF TO BRING
LEGAL HEIRS OF R1 IS DISPENSED WITH)

THIS MFA IS FILED UNDER SECTION 173(1) OF
MOTOR VEHICLES ACT 1988, PRAYING TO ALLOW THIS
APPEAL AND MODIFY THE JUDGMENT AND AWARD
DATED 24.07.2017 PASSED BY II ADDL. SENIOR CIVIL
JUDGE, AND JMFC, BIDAR, IN MVC NO.162/2014 AND
AWARD COMPENSATION AS CLAIMED IN THE CLAIM
PETITION, IN THE INTEREST OF JUSTICE.



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

CORAM: HON'BLE MR. JUSTICE TYAGARAJA N. INAVALLY

ORAL JUDGMENT

There is no representation from the learned counsel for the appellants. The matter is again called out in the afternoon. The appellants and their counsel are absent. There is no reason to grant further any adjournment.

2. In spite of sufficient opportunities, the appellants have failed to amend the cause title of the appeal memo regarding death of the deceased respondent No.1 in compliance of the order dated 04.07.2023.

3. Further, there is delay of 82 days in filing the appeal. The application - IA No.1/2018 filed by the appellant for condoning the delay in filing the appeal is



pending for consideration. As mentioned herein above,
there is no reason to grant any further opportunity.

4. In the result, I proceed to pass the following:

ORDER

This appeal is dismissed for non prosecution.

Sd/-
(TYAGARAJA N. INAVALLY)
JUDGE

SMP
List No.: 1 Sl No.: 6
CT: SB