



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.203915 OF 2023 (MV)

BETWEEN:

DIPAK S/O TULJARAM,
AGE: 21 YEARS, OCC: EX-PLUMBER,
R/O JOPADA PATTI, JEWARGI,
TQ. JEWARGI DIST. KALABURAGI.

...APPELLANT

(BY SRI. B. ALI MOHAMMAD, ADVOCATE)

AND:

1. MAHESH S/O TIPPANNA,
AGE: 45 YEARS, OCC: OWNER OF ASHOK LEYLAND
LORRY BEARING REG.NO.KA-39/8081,
R/O H.NO.E-35, KATTI SANGAVI, TQ. JEWARGI,
DIST. KALABURAGI.
2. THE MANAGER,
CHOLA MS, GENERAL INSURANCE COMPANY LIMITED,
ASIAN PLAZA COMPLEX,
S.V. PATEL CHOWK, STATION ROAD, KALABURAGI.

...RESPONDENTS

THIS MFA IS FILED UNDER SECTION 173(1) OF MOTOR VEHICLE ACT, PRAYING TO CALL THE RECORDS IN MVC NO.319/2022 ON THE FILE OF PRL.SENIOR CIVIL JUDGE & MACT, AT KALABURAGI AND THE IMPUGNED JUDGMENT AND AWARD DATED 25-01-2023 CAUSED IN MVC NO.319/2022 ON THE FILE OF PRL. SENIOR CIVIL JUDGE & MACT, AT





**NC: 2026:KHC-K:3638-DB
MFA No. 203915 of 2023**

KALABURAGI MAY BE MODIFIED BY GRANTING
COMPENSATION AS CLAIMED IN THE CLAIM PETITION AND
THIS MISCELLANEOUS FIRST APPEAL MAY BE ALLOWED AS
PRAYED WITH COST 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.: 17
CT:SI