

Sabavva and Ors vs Kashinath and Anr

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Court : Karnataka Orders

Decided On : Jul-01-2025

Judge : Ravi V Hosmani

Appeal No. : MFA/200627/2020

Appellant : Sabavva and Ors

Respondent : Kashinath and Anr

Judgement :

-1- IN THE HIGH COURT OF KARNATAKA, KALABURAGI BENCH
DATED THIS THE 1ST DAY OF JULY, 2025 BEFORE THE HON'BLE
MR. JUSTICE RAVI V HOSMANI MISCL. FIRST APPEAL NO. 200627
OF 2020 (MV-D) BETWEEN:

1. SABAVVA W/O LATE GUNDAPPA, AGE: 53 YEARS, OCC:
HOUSEHOLD, 2.. RAMESH S/O LATE GUNDAPPA AGE: 35 YEARS,
OCC: LABOUR,

3. KAVITA D/O LATE GUNDAPPA, (W/O HANUMANTH), AGE: 34
YEARS, Digitally signed

by NIJAMUDDIN

4. ADEPPAJAMKHANDI

S/O LA

KARNATAKA

5. SAVITHA D/O LATE GUNDAPPA, (W/O SUDHAKAR), AGE: 28 YEARS, ALL ARE R/O: AINAPUR, TQ: CHINCHOLI, NOW AT KUMBARWADA, BIDAR. APPELLANTS (BY SRI SANDEEP VIJAYKUMAR, ADVOCATE - ABSENT) -2- AND:

1. KASHINATH S/O VEERAPPA, AGE: MAJOR, OCC: BUSINESS, R/O: H.NO.1/59, BAMBALGI VILLAGE, TQ: AND DIST: BIDAR - 585 401. (OWNER OF VEHICLE)

2. THE BRANCH MANAGER, NATIONAL INSURANCE COMPANY LTD., BRANCH OFFICE, ANUPAN COMPLEX, BASVESHWAR CHOWK, GANDHI GUNJ ROAD, BIDAR - 585 401. RESPONDENTS (BY SRI RAHUL R. ASTURE, ADVOCATE FOR R2 - ABSENT) THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT,

PRAYING MODIFY THE JUDGMENT AND AWARD DATED 05.12.2017 PASSED IN MVC NO.293/2016 ON THE FILE COURT OF THE ADDITIONAL SENIOR CIVIL JUDGE AND ADDL. MACT AT BIDAR, IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS MFA, COMING ON FOR ORDERS, THIS DAY, JUDGMENT

WAS DELIVERED THEREIN AS UNDER: CORAM: HON'BLE MR. JUSTICE RAVI V HOSMANI

ORAL JUDGMENT

None appears.

2. It is seen on previous date i.e., 18.06.2025, despite undertaking to file application for substituted service of notice to respondent no.1 was not filed and request for further time was granted on cost. -3-

3. Today, neither cost is paid nor counsel is present. Hence, appeal is dismissed for non-prosecution. Sd/- (RAVI V HOSMANI) JUDGE SN List No.: 1 SI No.: 9

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