

Kalegowda vs Javaraiah

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Court : Karnataka

Decided On : Dec-02-2024

Judge : N S Sanjay Gowda

Appeal No. : MFA/1698/2020

Appellant : Kalegowda

Respondent : Javaraiah

Judgement :

-1-

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF DECEMBER, 2024 BEFORE THE
HON'BLE MR JUSTICE N S SANJAY GOWDA MISCELLANEOUS
FIRST APPEAL NO.1698 OF 2020(MV-I) BETWEEN:

1. KALEGOWDA

S/O. MARIGOWDA AGED ABOUT 69 YEARS KANDAHALLI POST, HASSAN
TALUK APPELLANT (BY SRI GIRISH B. BALADARE, ADVOCATE) Digitally
signed AND: by KIRAN KUMAR R Location: 1. JAVARAIAH HIGH COURT S/O.
KALAIAH OF KARNATAKA AGED ABOUT 79 YEARS R/AT SANYASIPURA
VILLAGE K. R. NAGAR TALUK MYSURU DISTRICT - 570 001

2. RELIANCE GENERAL INSURANCE CORPORATE OFFICE 570 NAIDAUM CROSS ROAD NEXT TO ROYAL INDUSTRIAL ESTATE WADALA (W) MUMBAI - 400 031 -2-

3. T. D. BASAVEGOWDA

S/O. DEVEGOWDA AGED ABOUT 45 YEARS KANDAHALLI POST HASSAN TALUK RESPONDENTS (BY SRI D. VIJAYA KUMAR, ADVOCATE FOR R-2; VIDE ORDER DATED 25/11/2024, NOTICE TO R-3 IS DISPENSED WITH) THIS MFA IS FILED UNDER SECTION 173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 20.03.2012 PASSED IN MVC NO.214/2011 ON THE PRESIDING OFFICER, FAST TRACK COURT-V, MYSURU, AWARDED COMPENSATION OF RS.53,600/- WITH INTEREST AT 6% P.A. FROM THE DATE OF PETITION TILL REALIZATION. THIS MFA, COMING ON FOR ORDERS, THIS DAY,

JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR JUSTICE N S SANJAY GOWDA -3-

ORAL JUDGMENT

1. The memo is filed by the claimant seeking for

withdrawal of the appeal on the ground that the matter has been settled between the parties out of the Court and a memo is also filed by the decree holder/claimant stating that the execution petition is closed.

2. In view of the above, this appeal is dismissed as withdrawn and the amount of Rs.25,000/- deposited by the appellant shall be refunded to it. Sd/- (N S SANJAY GOWDA) JUDGE GSR List No.: 1 SI No.: 11

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