# IN THE HIGH COURT OF KARNATAKA AT BANGALORE DATED THIS THE 21<sup>ST</sup> DAY OF APRIL, 2011 BEFORE

THE HON' BLE MR. JUSTICE B.SREENIVASE GOWDA

# MISCELLANEOUS FIRST APPEAL NO.1031 OF 2011

#### APPELLANT

H K BASAVARAJ AGED 44 YEARS S/O KENCHAPPA SECRETARY, K S S VIDYA SAMSTHE, NEAR DURGAMBIKA HIGH SCHOOL, SARASWATHINAGAR, DAVANAGERE

(BY SMŁVIJAYALAKSHMI, ADVOCATE)

-V/S-

#### RESPONDENTS

- 1. MUNIYAPPA
  AGED 28 YEARS
  S/O GANGA MUTHAIAH
  DRIVER, R/O THIGALARAPALYA,
  THIPPASANDRA POST, MAGADI TALUK,
  BANGALORE DISTRICT
- 2. LAKSHMINARAYANA REDDY MAJOR, S/O NOT KNOWN OWNER, R/O NO.27, 9<sup>TH</sup> CROSS, 1-N BLOCK, RAJAJINAGAR, BANGALORE
- 3. THE NEW INDIA ASSURANCE COMPANY LTD NO.339,  $1^{\rm ST}$  FLOOR, NEAR  $11^{\rm TH}$  CROSS

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### MFA.NO.1031/2011

SAMPIGE ROAD, MALLESHWARAM, BANGALORE 560 003

- 4. RAMESH
  AGED 24 YEARS
  S/O SIDDARAMAPPA
  DRIVER, R/O RAMAJJANAHALLY,
  MADADAKERE POST,
  HOSADURGA TALUK,
  CHITRADURGA DISTRICT
- 5. T H BASAVARAJ
  MAJOR, S/O T K HANUMATHAGOWDA
  R/O VINAYAKA BADAVANE,
  HOSADURGA,
  CHITRADURGA DISTRICT

MFA filed U/S 173(1) of MV Act against the Judgment and Award Dated: 20 2010 passed in MVC.No.1030/2006 on the file of the Senior Civil Judge, VI Additional Mact, Davangere, partly allowing the claim petition for compensation and seeking enhancement of compensation.

This MFA coming on for Orders this day, the Court made the following:

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## ORDER

Appellant is granted six weeks time finally to comply with office objections, failing which appeal stands dismissed without reference to Bench and application, if any to be made for recalling, will be entertained only on payment of cost of Rs.1,000/- to High Court Legal Service Committee.

Sd/-JUDGE.

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