

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 31ST DAY OF MARCH 2016

BEFORE

THE HON'BLE MR. JUSTICE RAM MOHAN REDDY

M.F.A. NO.11041/2012 (MV)
A/W
MFA CROB.NO.46/2016

IN M.F.A.NO.11041/2012:

BETWEEN:

1. SHIVAMMA,
W/O LATE CHIKKANDAIAH,
AGED ABOUT 42 YEARS,
2. MAHESH KUMAR,
S/O LATE CHIKKANDAIAH,
AGED ABOUT 30 YEARS,
3. SHASHIKUMARA,
S/O LATE CHIKKANDAIAH,
AGED ABOUT 24 YEARS,
4. ASHA,
D/O LATE CHIKKANDAIAH,
AGED ABOUT 27 YEARS,
ALL ARE R/AT MANGALA VILLAGE,
KOLLEGALA TLUK,
CHAMARAJANAGARA DIST. -571 440 ...APPELLANTS

(By SRI MANJAPPA N.D., ADVOCATE)

AND

1. THIMMARAJU,
S/O LATE KRISHNAPPA,
AGED ABOUT 32 YEARS,
R/O LINGARAJAPURA VILLAGE,
THAVAREKERE P.O.,
HOSAKOTE TALUK-262 114,
BNGALORE RURAL DISTRICT.
2. N.RAVI
S/O LATE NAGAPPA,
AGED ABOUT 33 YEARS,
R/O LINGARAJAPURA VILLAGE,
THAVAREKERE P.O.,
HOSAKOTE TALUK-262 114,
BANGALORE RURAL DISTRICT
3. THE DIVISION MANAGER,
SRIRAM GENERAL INSURANCE CO. LTD.,
SEETHAPURA, JAYAPURA,
RAJASTHANA.
4. THE MANAGER,
SRI RAM GENERAL INSURANCE CO. LTD.,
N.R.MOHALLA,
MYSORE. ... RESPONDENTS

(By SRI P.M.SIDDAMALLAPPA, ADVOCATE FOR R2;
R1- SERVED AND UNREPRESENTED;
SRI B.PRADEEP, ADVOCATE FOR R3 & R4)

THIS MFA FILED U/S 173(1) OF MV ACT, AGAINST
THE JUDGMENT AND AWARD DATED 1.3.2012 PASSED IN
MVC NO.136/2010 ON THE FILE OF THE PRESIDING
OFFICER, FAST TRACK COURT, MACT, KOLLEGAL, PARTLY
ALLOWING THE CLAIM PETITION FOR COMPENSATION
AND SEEKING ENHANCEMENT OF COMPENSATION.

IN MFA CROB.NO.46/2016BETWEEN:

THE DIVISIONAL MANAGER,
SRIRAM GENERAL INSURANCE CO. LTD.,
SEETHAPURA, JAYAPURA,
RAJASTHANA.

NOW REP.BY ITS LEGAL MANAGER,
SRIRAM GENERAL INSURANCE CO. LTD.,
NO.5/4, 3RD FLOOR, S.V.ARCADE,
BELEKAHALLI MAIN ROAD,
OPP.BANNERGHATTA ROAD,
LIMB POST, BANGALORE-76. ... CROSS OBJECTOR

(By SRI B.PRADEEP, ADVOCATE)

AND:

1. SHIVAMMA,
W/O LATE CHIKKANDAIAH,
AGED ABOUT 42 YEARS,
2. MAHESH KUMAR,
S/O LATE CHIKKANDAIAH,
AGED ABOUT 32 YEARS,
3. SHASHIKUMAR,
S/O LATE CHIKKANDAIAH,
AGED ABOUT 26 YEARS,
4. ASHA,
D/O LATE CHIKKANDAIAH,
ALL ARE R/AT MANGALA VILLAGE,
KOLLEGALA TLUK,
5. THIMMARAJU,
S/O LATE KRISHNAPPA,
AGED ABOUT 34 YEARS,
R/O LINGANAPURA VILLAGE,
THAVAREKERE P.O.,
HOSAKOTE TALUK-262 114,

6. N.RAVI
S/O LATE NAGAPPA,
AGED ABOUT 35 YEARS,
R/O LINGARAJAPURA VILLAGE,
THAVAREKERE P.O.,
HOSAKOTE TALUK-262 114. ... RESPONDENTS

THIS MFA CROB. FILED U/O XLI RULE 22 OF CPC., AGAINST THE JUDGMENT AND AWARD DATED 1.3.2012 IN MVC NO.136/2010 PASSED BY THE FAST TRACK COURT AND MACT, KOLLEGAL, AWARDING THE COMPENSATION OF RS.7,78,000/- WITH INTEREST AT 6% P.A. FROM THE DATE OF PETITION TILL THE DEAT OF DEPOSIT.

THIS APPEAL ALONG WITH MFA CROB. COMING ON FOR ORDERS THIS DAY, THE COURT DELIVERED THE FOLLOWING:

JUDGMENT

Learned counsel for appellants seeks leave of the Court to withdraw the appeal. In that view of the matter, I.A.2/2012 to condone the delay of 16 days in filing the appeal is rejected. Appeal **dismissed** as withdrawn.

Cross Objection 46/2016 is also **dismissed** as withdrawn.

Sd/-
JUDGE

kcm