

IN THE HIGH COURT OF KARNATAKA, BENGALURU

DATED THIS THE 31ST DAY OF JANUARY, 2019

BEFORE

THE HON'BLE MR. JUSTICE MOHAMMAD NAWAZ

MISCELLANEOUS FIRST APPEAL NO.5428/2010 (MV)

BETWEEN

IFFCO-TOKIO GENERAL
INSURANCE CO.LTD.,
STRATEGIC BUSINESS UNIT #41,
II FLOOR, CRISTU COMPLEX,
LAVELLE ROAD, BANGALORE-1,
NOW RPTED BY ZONAL MANAGER,
IFFCO-TOKIO GENERAL INSURANCE
CO. LTD., 3RD FLOOR,
KSCMF BUILDING,
8, III BLOCK, CUNNINGHAM ROAD,
BANGALORE-560 052.

... APPELLANT

(BY SRI A N KRISHNASWAMY, ADV.)

AND

1. SMT. NAGARATHNAMMA,
W/O LATE DODDEGOWDA,
NOW AGED ABOUT 50 YEARS
2. D. VIMALA,
D/O LATE DODDEGOWDA,
NOW AGED ABOUT 28 YEARS
3. D. SUNITHA,
D/O LATE DODDEGOWDA,
NOW AGED ABOUT 26 YEARS

4. D. NAVEEN KUMAR,
S/O LATE DODDEGOWDA,
NOW AGED ABOUT 24 YEARS
ALL R/A NO.430, I CROSS,
RMV II STAGE,
SANJAYANAGAR POST,
GEDDALARAHALLI,
BANGALORE-94.
5. DINESH R.
S/O V RAMADASS,
MAJOR, R/A NO. 49, O C NAGAR,
JANATA COLONY, VENKATALA,
YELAHANKA, BANGALORE-64. RESPONDENTS

(BY SRI R.CHANDRASHEKAR, ADV. FOR R1-R3,
SRI R.CHANDRASHEKAR, ADV. OF LAWYERS NET FOR R4,
SRI J.PRAKASH, ADV. FOR R5.)

THIS MISCELLANEOUS FIRST APPEAL IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED:22.02.2010 PASSED IN MVC NO.1798/2008 ON THE FILE OF VI ADDITIONAL JUDGE, COURT OF SMALL CAUSES, MACT, BENGALURU CITY AWARDING A COMPENSATION OF RS.4,75,000/- WITH INTEREST @ 6% P.A FROM THE DATE OF PETITION TILL REALISATION.

THIS MISCELLANEOUS FIRST APPEAL COMING ON FOR ORDERS THIS DAY, THE COURT DELIVERED THE FOLLOWING:

JUDGMENT

The learned counsel for the appellant has filed a memo seeking permission to withdraw the appeal.

2. Memo is placed on record.

The appeal is dismissed as ***withdrawn***.

The amount in deposit shall be refunded to the appellant.

**Sd/-
JUDGE**

Chs*
CT-HR