

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 31ST DAY OF MAY, 2021

BEFORE

THE HON'BLE MR. JUSTICE H.P. SANDESH

M.F.A.NO.8196/2010 (MV)

BETWEEN:

KUMARA,
S/O SUBBEGOWDA,
AGED ABOUT 33 YEARS,
R/AT KALEGOWDANA KOPPAL,
BOOKANAKERE HOBLI,
K.R.PET TALUK,
MANDYA DISTRICT.

... APPELLANT

(APPELLANT – ABSENT AND UNREPRESENTED)

AND:

1. M.J. MANJESH,
AGE: MAJOR,
S/O LATE JAYARAMEGOWDA,
VALAGEREMENASA,
K.R.PET TALUK, MANDYA CITY.

2. NATIONAL INSURANCE COM. LTD.,
BRANCH OFFICE, P.B.NO.54,
V.V.ROAD, MANDYA CITY,
REPRESENTED BY THE BRANCH MANAGER.

... RESPONDENTS

[BY SRI A.N.KRISHNASWAMY, ADVOCATE FOR R-2;
R1-SERVED AND UNREPRESENTED]

THIS M.F.A IS FILED UNDER SECTION 173(1) OF MV ACT
AGAINST THE JUDGMENT AND AWARD DATED 05.11.2009
PASSED IN MVC.NO.3/2007 ON THE FILE OF THE CIVIL JUDGE

(SR. DN.) AND JMFC, K.R.PET, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS M.F.A. COMING ON FOR ORDERS THROUGH '*VIDEO CONFERENCE*' THIS DAY, THE COURT DELIVERED THE FOLLOWING:

J U D G M E N T

The notice issued against the appellant was not served and has returned with an endorsement that the claimant/appellant is now settled in Bengaluru. The family members have refused to receive the notice. Hence, service of notice to appellant is held sufficient.

2. The appeal is dismissed for non-prosecution.

**Sd/-
JUDGE**

MD