

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 27TH DAY OF AUGUST, 2007

PRESENT

THE HON'BLE MR. JUSTICE K.L. MANJUNATH

AND

THE HON'BLE MR. JUSTICE JAWAD RAHIM

MISC. FIRST APPEAL No.3459/2007 (MV)

BETWEEN:

1. Chandrika Mallesh w/o late
K.E.Malleshagowda, 37 years,
Occ: Housewife,
2. K.M.Ishwarya d/o late K.E.
Malleshagowda, 13 years,
Occ: Student,
3. Shreemantha s/o late K.E.
Malleshagowda, 10 years,
Occ: Student,

2 & 3 are minors, R/by their
mother Appellant No.1.

All are R/o Kesuvinamane
Village, Muguthihalli Post,
Chickmagalur Tq. & Dist. ..

APPELLANTS

(By Advocate Sri.G.M.Chandrashekar - Absent)

AND:

1. Abdul Fiaz s/o Abdul Jabbar,
Occ: Driver of Lorry bearing
No.KA-06-A-2402, R/o Birur,

Kadur Tq. Chikmagalur Dist.

2. Basheer Ahmed s/o Hayath sab,
Occ: Owner of Lorry bearing
No.KA-06-A-2402, R/o Vajeer
Extension, K.M.Road, Kadur.
3. The Oriental Insurance Co. Ltd.,
Branch office, TAPCMS Complex,
K.M.Road, Chikmagalur City.
R/by its Manager. .. RESPONDENTS

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This M.F.A. is filed under Sec.173(1) of MV Act against the judgment and award dated 6.9.2006 passed in MVC 181/2004 on the file of Pri. District Judge & Member MACT, Chikmagalur, partly allowing the claim petition for compensation and seeking enhancement of compensation.

This Appeal is coming on for orders this day, MANJUNATH J. delivered the following:

J U D G M E N T

For non-filing of typed copy of the judgment and award, matter was listed before the court on 20.8.2007. Since needful was not done, matter is listed today. When the case was called in the morning time was granted for the appellants' counsel to do the needful before 2-30 p.m.. Even now he is not present when the case is taken up at

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3-20 p.m.. In the circumstances, appeal is dismissed for non-prosecution.

Sd/-
Judge

Sd/-
Judge

R/120907