IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 2ND DAY OF JUNE, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

MISCELLANEOUS FIRST APPEAL NO. 1061 OF 2021 (MV-D)

BETWEEN:

THE DIVISIONAL CONTROLLER
KSRTC, BANNIMANTAP BADAVANE
MYSORE NOW, REP. BY KARNATAKA STATE
ROAD TRANSPORT CORPORATION
CENTRAL OFFICE, BANGALORE
BY ITS CHIEF LAW OFFICER
BANGALORE.

...APPELLANT

(BY SMT.S.NIRMMALA, ADVOCATE)

AND:

1. SAVITHA
   W/O. LATE SIVAKUMAR T.R.
   AGED ABOUT 28 YEARS

2. KUM. NIKITHA
   D/O. LATE SIVAKUMAR T.R.
   AGED ABOUT 10 YEARS

3. PRUTHVI NAYAKA
   S/O. LATE SIVAKUMAR T.R.
   AGED ABOUT 06 YEARS

4. RAMAKRISHNA NAYAKA
   S/O. LATE MANCHANAYAKA
   AGED ABOUT 60 YEARS

5. VANAJAKSHI A
   W/O. RAMAKRISHNAYAKA
   AGED ABOUT 54 YEARS

Digitally signed by K S RENUKAMBA
Location: High Court of Karnataka

ALL ARE R/AT THIPURU VILLAGE
K.R. NAGARA TALUK
MYSORE DISTRICT

(APPELLANT NOS. 2 & 3 MINORS
REP. BY NATURAL GUARDIAN
HER MOTHER SAVITHA)

6. SIDDARAM BALAKANDE
S/O. SANGAPPA
AGED ABOUT 38 YEARS
A/P/BARADOL, MUDUGAL HOBLI
INDI TALUK, BIJAPUR DISTRICT

…RESPONDENTS

(BY SRI P.NATARAJU, ADVOCATE FOR R1, R4 & R5;
R2 & R3 MINOR REP. BY R1)

THIS MISCELLANEOUS FIRST APPEAL IS FILED U/S 173(1) OF MV ACT PRAYING TO MODIFY THE JUDGMENT AND AWARD DATED 05.02.2020 PASSED IN M.V.C.NO.936/2017 ON THE FILE OF THE SENIOR CIVIL JUDGE AND JMFC., AND MACT, K.R.NAGAR, AWARDING COMPENSATION OF RS.16,35,000/- WITH INTEREST AT 9% P.A., FROM THE DATE OF PETITION TILL THE DATE OF ITS REALIZATION.

THIS MISCELLANEOUS FIRST APPEAL COMING ON FOR ORDERS, THIS DAY, JUDGMENT WAS DELIVERED THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
and
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL JUDGMENT

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Despite the matter being called out twice, no one appears for the appellant. When the matter was last listed, a week's time was finally granted to the appellant to pay process fee for issuance of notice to respondent No.6 and to deposit the award

amount, failing which it was directed that the interim order granted would automatically stand vacated.

2. It appears that a memo for dispensation of notice to respondent No.6 has been filed by learned Counsel for the appellant. However, as per the order of the Court, the interim order stands vacated.

3. The appeal is dismissed for non-prosecution.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(TARA VITASTA GANJU)
JUDGE

KSR
List No.: 1 Sl No.: 38