



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 24TH 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. 1600 OF 2019 (MV-I)

BETWEEN:

MR. VENUGOPAL C
S/O LATE CHANDRASHEKARAPPA
AGED ABOUT 48 YEARS
PRESENTLY RESIDING AT NO.2615
FIRST FLOOR, 37TH A CROSS
26TH MAIN, JAYANAGAR
9TH BLOCK, BANGALORE-69.

...APPELLANT

(BY SRI. RAMESH ANANTHAN, ADVOCATE)

AND:

1. PRAVEEN KUMAR
S/O ANTHONY MATHIAS
AGED ABOUT 27 YEARS
NO.14, 15TH MAIN ROAD
KEB ROAD, ST.THOMAS TOWN POST
BENGALURU - 560 084
2. THE NEW INDIA ASSURANCE CO. LTD.,
NO.202, BRIGADE PLAZA
NORTH WING, 2ND FLOOR
SUBEDAR CHATRAM ROAD
ANANDARAO CIRCLE
BANGALORE-560 009.

...RESPONDENTS

(BY SRI AVINASH P., ADVOCATE FOR R1;
SRI M.P.SRIKANTH, ADVOCATE FOR R2)



THIS MFA IS FILED U/S 173(1) OF MV ACT AGAINST THE JUDGMENT AND AWARD DATED 17.11.2018 PASSED IN MVC NO.1397/2016 ON THE FILE OF THE II ADDITIONAL JUDGE AND XXVIII ACMM, COURT OF SMALL CAUSES, BENGALURU (SCCH-13), PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

THIS APPEAL, COMING ON FOR ADMISSION, 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)

I.A. No.1/2019 is filed for production of documents under Order XLI Rule 27 read with Section 151 of the CPC. It is supported by an affidavit of the claimant in which it is stated that he had produced all documents before the Tribunal except few documents which could not have been produced which pertain to his salary performance letter and salary slip before the accident. It is stated that he could not go to the company due to fracture of his leg and had undergone several surgeries. Therefore, these documents are being produced at this stage.



2. A perusal of the documents that have been filed reflect that one is a letter dated 22.04.2013 appreciating the performance of the claimant reflecting salary revision with effect from 04.01.2013. The second document is also a letter dated 21.04.2014 reflecting the compensation package to the claimant with effect from 01.04.2014. The third page is titled as 'Annexure' which reflects the previous CTC (Cost to Company) Structure. The fourth document is a letter dated 29.06.2015. However, this document is marked as Ex.P18 before the trial Court. Since this document is already proved, it need not be proved again. The last document appears to be pay slips for the month of January and February 2014, appearing on running pages 43 and 44 bearing the stamp of the Company and signature.

3. An objection to the aforesaid I.A. has been filed by the learned counsel for respondent No.2 in which it is stated that the appellant filing application to produce certain electronic documents before this Court are not acceptable, since the accident occurred in the year 2014 and the application is filed in the year 2019 after a lapse of 4 years, and moreover any documents' legality will be assessed by the trial Court.



Therefore, producing certain documents pertaining to appellant's salary after the judgment cannot be accepted.

4. We have considered the submissions also made by the learned counsel for the parties. Given the fact that salary slips and certain other documents regarding revision of pay of the claimant are being sought to be filed by means of the aforesaid I.A., given the provisions of clause (b) of sub-rule (1) of Order XLI Rule 27 of the CPC, we deem it fit to accept the documents filed with the I.A. other than the document appearing on running page 41, which, as noted above, is marked as Ex.P18 to the evidence before the Tribunal. I.A.No.1/2019 is accordingly partly allowed. Since I.A.No.1/2019 is partly allowed and the value of the evidence admitted today, needs to be examined, we deem it fit to remand the matter after setting aside the impugned award passed by the Tribunal.

5. In this view of the matter, the award of the Tribunal dated 17.11.2018 in M.V.C. No.1397/2016 is set aside and the matter is remanded to the concerned Tribunal having jurisdiction in the matter. The parties shall appear before the



Tribunal on 11.08.2026. The office is directed to send the original record along with the aforesaid I.A. No.1/2019, after retaining a copy of the same before this Court, to the Tribunal for adjudication. The matter will be dealt with by the Tribunal from the stage of evidence.

Sd/-
(JAYANT BANERJI)
JUDGE

Sd/-
(TARA VITASTA GANJU)
JUDGE

KG
List No.: 1 SI No.: 4