



**IN THE HIGH COURT OF KARNATAKA AT BENGALURU**

**DATED THIS THE 23<sup>RD</sup> DAY OF JUNE, 2026**

**PRESENT**

**THE HON'BLE MR. JUSTICE S.G.PANDIT**

**AND**

**THE HON'BLE MR. JUSTICE RAJESH RAI K**

**MISCELLANEOUS FIRST APPEAL NO. 722 OF 2023 (MV-D)**

**BETWEEN:**

THE MANAGER  
RELIANCE GIC LTD.,  
NO.5/111 & 6/112  
UNNATI ARCADE  
1<sup>ST</sup> FLOOR, 1<sup>ST</sup> BLOCK  
DR. RAJKUMAR RAOD  
(1<sup>ST</sup> MAIN ROAD)  
RAJAJINAGAR  
BANGALORE-560 010  
NOW REP BY ITS  
LEGAL MANAGER  
RELIANCE GENERAL INSURANCE CO.LTD.,  
5<sup>TH</sup> FLOOR, CENTENARY BUILDING  
NO.28, M.G ROAD  
BANGALORE-560 001.

...APPELLANT

(BY SRI. PRADEEP B, ADVOCATE)

**AND:**

SMT SAVITHA  
W/O LATE RENUKA S.R  
AGED ABOUT 35 YEARS

Digitally signed by  
PANKAJA S  
Location: HIGH  
COURT OF  
KARNATAKA



2. MASTER MANOJ S.R  
S/O LATE RENUKA S.R  
AGED ABOUT 14 YEARS

3. MISS. MAMATHA  
D/O LATE RENUKA S.R  
AGED ABOUT 10 YEARS

SINE THE 2<sup>ND</sup> & 3<sup>RD</sup> RESPONDENTS ARE MINOR  
WILL BE REPRESENTED BY THEIR MOTHER & N/G  
I.E., 1<sup>ST</sup> RESPONDENT

ALL ARE R/AT SHIVANAHALLI  
NIDASSALE VILLAGE  
HULIYURDURGA HOBLI  
KUNIGAL TALUK, UJJANI  
TUMKUR DISTRICT.

PRESENTLY R/AT  
C/O SMT NEELAMMA BUILDING  
NEAR COCONUT PLANTATION  
BEHIND GOVT. SCHOOL  
HEGGANAHALLI, BENGALURU-5600 91.

4. LOKESH H.A  
S/O MR. APPE GOWDA  
AGED ABOUT 39 YEARS  
R/AT NO.12, 1<sup>ST</sup> MAIN ROAD  
MARUTHINAGAR  
(VRUSHABAVATHINAGARA)  
KAMAKSHIPALYA  
BENGALURU-560 079.

...RESPONDENTS

(BY SRI. LANKESH L, ADVOCATE FOR R1-R3,  
(R2 & R3 ARE MINORS REPRESENTED BY R1)  
SRI. K.V. PRADEEP, ADVOCATE FOR R4)

THIS MFA IS FILED U/S.173(1) OF MV ACT, AGAINST THE  
JUDGMENT AND AWARD DT.30.11.2022 PASSED IN MVC  
NO.306/2021 ON THE FILE OF THE MACT, COURT OF SMALL  
CAUSES, BENGALURU, (SCCH-25), AWARDDING COMPENSATION



OF RS.27,58,600/- WITH INTEREST AT 6 PERCENT P.A. FROM THE DATE OF PETITION TILL THE DATE OF DEPOSIT.

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

CORAM: HON'BLE MR. JUSTICE S.G.PANDIT  
and  
HON'BLE MR. JUSTICE RAJESH RAI K

**ORAL JUDGMENT**

(PER: HON'BLE MR. JUSTICE RAJESH RAI K)

The Insurance Company has preferred this appeal challenging the judgment and award dated 30.11.2022 passed in M.V.C.No.306/2021 by the Motor Accident Claims Tribunal, Court of Small Causes, at Bengaluru (for short 'the Tribunal'), whereby the Tribunal partly allowed the claim petition filed by the claimants and granted compensation of Rs.27,58,600/-.

2. The brief facts of the case are, one Renuka S.R., was riding TVS Victor Bike bearing Reg.No.KA-02/EK-8371 from Harohalli Cross towards his house. When he reached opposite to Gangadhareshwara Nilaya, the driver of the TATA Indica Car bearing Reg.No.KA-02/AD-9229 who was moving ahead of the aforesaid TVS Victor Bike in a rash and negligent manner, suddenly stopped the car and opened the front door of the car, due to which, he lost control over the motorcycle and dashed



the door of the car. As a result, he fell down and succumbed to injuries. Later, the jurisdictional Police registered the case in Crime No.156/2020 dated 04.06.2020 and laid charge sheet against the driver of the offending vehicle. Subsequently, the claim petition was filed by the legal representatives of the deceased-Renuka.

3. The Tribunal, on assessment of oral and documentary evidence placed before it, partly allowed the claim petition and granted compensation as stated supra. Being aggrieved by the same, the Insurance Company is before this Court.

4. Heard learned counsel Sri B. Pradeep for the appellant, learned counsel Sri Lankesh L., for respondent Nos.1 to 3 and learned counsel Sri K.V.Pradeep for respondent No.4.

5. Apart from canvassing several contentions, learned counsel for the appellant primarily contended that the accident was caused solely due to the negligent riding of the motorcycle by the deceased. According to him, the motorcycle dashed the rear portion of the Indica car, which clearly substantiate that the deceased rode the same in a rash and negligent manner



without following any traffic rules. He also contended that the IMV report clearly depicts that the front portion of the motorcycle i.e., headlight and other parts were damaged, which clearly indicates that the deceased dashed Indica car without maintaining sufficient distance. Apart from this, he also contended that the Tribunal has erred in awarding exorbitant compensation to the claimants under all heads. Accordingly, he prays to allow the appeal by setting aside the judgment and award passed by the Tribunal.

6. *Per contra*, learned counsel for the respondents supported the impugned judgment and award and prays to dismiss the appeal.

7. We have given our anxious consideration to the submissions made by the learned counsel for the parties. Perused the impugned judgment and award and other documents placed before us.

8. As could be gathered from records, the accident in question and coverage of insurance policy to the offending vehicle are not in dispute.



9. The only contention raised by the learned counsel for the appellant-Insurance Company is that the accident was caused due to the negligent riding of the motorcycle by the deceased. We have carefully examined Ex.P1-FIR, Ex.P2-complaint, Ex.P3-charge sheet, Ex.P4-spot sketch and Ex.P6-IMV report. On careful scrutiny of the same, it is noticed that in the complaint and charge sheet, it is stated that the driver of the car suddenly stopped the car and opened the right side front door, as a result of which, the deceased, who was riding his motorcycle behind the car, was unable to control his vehicle and suddenly dashed the door of the car. Thus, the accident caused and he sustained injuries and thereafter succumbed to the same. Even IMV report also depicts that the front portion of the motorcycle rode by the deceased was damaged. As such, it could be presumed that the accident was caused due to the negligence of the driver of the car. The appellant-Insurance Company has not seriously challenged the charge sheet by placing reliable evidence. In such circumstances, we are of the considered view that the Tribunal has rightly appreciated the evidence on record and attributed the negligence on the driver



of the offending vehicle i.e., TATA Indica car and accordingly, fastened the liability on the Insurance Company.

10. We have carefully examined the compensation awarded by the Tribunal under different heads. The Tribunal has rightly assessed the compensation on all heads as per the settled position of law by the Hon'ble Apex Court. As such, we find no good ground to interfere with the impugned judgment and award passed by the Tribunal. Accordingly, the appeal lacks merit and the same is ***dismissed***.

11. The amount in deposit before this Court shall be transmitted to the Tribunal.

**SD/-**  
**(S.G.PANDIT)**  
**JUDGE**

**SD/-**  
**(RAJESH RAI K)**  
**JUDGE**

HKV  
List No.: 1 Sl No.: 22