



CNR: KAHC010135672026

NC: 2026:KHC:53888-DB
WA No. 661 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

THE HON'BLE MRS. JUSTICE K.S. HEMALEKHA

WRIT APPEAL NO. 661 OF 2026 (GM-AC)

BETWEEN:

1. THE MANAGING DIRECTOR
VRL LOGISTICS LTD.
REGISTERED AND ADMINISTRATIVE OFFICE
AT BENGALURU ROAD
VARUR, HUBBALLI – 581 207
CHABBI (HUBBALLI), DHARWAD
REP. BY ITS LEGAL ADVISOR AND
CONSTITUTED ATTORNEY
SHRI RANGANATH B. GADAGKAR

...APPELLANT

(BY SRI SANDEEPANI A. NEGLUR, ADVOCATE FOR
SRI ARAVIND M. NEGLUR, ADVOCATE)

AND:

1. SANTHOSH G.M.
S/O G.M. MOHAN RAO
AGED ABOUT 36 YEARS
R/AT NO. 23, 12TH CROSS
MTS LAYOUT
KENGARI SUB-TOWN
BENGALURU – 560 060

Digitally
signed by
VEERENDRA
KUMAR K M

Location:
High Court of
Karnataka



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2. ICICI LOMBARD INSURANCE
ZENITH HOUSE
KESHAVRAO KHADE MARG
MAHALAXMI, MUMBAI – 400 034
REP. HEREIN BY ITS
BRANCH MANAGER

...RESPONDENTS

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO CALL FOR THE RECORDS AND SET ASIDE THE IMPUGNED ORDER DATED 08.12.2025 IN WRIT PETITION No.3054/2025 PASSED BY THE LEARNED SINGLE JUDGE BENCH OF THE HON'BLE HIGH COURT OF KARNATAKA & ETC.

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

CORAM: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE
and
HON'BLE MRS. JUSTICE K.S. HEMALEKHA

ORAL JUDGMENT

(PER: HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE)

1. The appellant has filed the present appeal impugning an order dated 08.12.2025 [**impugned order**] passed by the learned Single Judge of this Court in W.P.No.3054/2025(GM-AC).
2. The appellant had filed the said writ petition impugning a judgment and award dated 25.04.2025 passed by the learned



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Motor Vehicles Accidents Claims Tribunal (SCCH-6), Bengaluru City [**Tribunal**] in MVC No.7448/2008.

3. The learned Single Judge dismissed the said writ petition on the ground that the same was not maintainable, while reserving the right for the appellant to file an appropriate first appeal.

4. It is the appellant's case that by virtue of the Motor Vehicles (Amendment) Act, 2019, sub-section (2) of Section 173 of the Motor Vehicles Act, 1988 [**MV Act**] was amended with effect from 01.04.2022 and no appeal lies if the amount in dispute is less than Rs.1,00,000/- (Rupees one lac).

5. The learned counsel appearing for the appellant submits that in the present case the compensation awarded is Rs.46,000/- and therefore no appeal would lie under Section 173(2) of the MV Act.

6. There is merit in the said contention that the order dated 25.04.2025 passed by the Tribunal is not an appealable order under the Act. However, the same does not imply that a writ petition against the said order must be entertained. Proceeding under Article 226 of the Constitution of India is not a substitute for a



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first appeal. The legislative intent of not providing for an appeal where the amount in dispute is less than Rs.1,00,000/- is to ensure that the decisions of the Tribunal regarding such disputes is final. Unless it is established that there is a fundamental flaw in the decision-making process, a writ petition ought not to be entertained.

7. In the present case, the Tribunal had disposed of MVC No.7448/2008 by judgment dated 18.10.2011 by awarding compensation of Rs.46,000/-. Respondent No.1 [**the claimant**] had filed the said claim petition claiming compensation for the injuries sustained by him in a motor accident that occurred on 17.07.2008 at 5.00pm. The claimant stated that he was a pillion rider on a motorcycle bearing Reg.No.KA-03-Y-7240, which was involved in an accident near the Jain Temple on Bengaluru-Tumkuru road, Bengaluru. He had alleged that a lorry bearing Reg.No.KA-25-A-9596 which was plying at a high speed, stuck the motorcycle resulting in him suffering injuries. He alleged that the lorry was being driven in a rash and negligent manner. The claimant was immediately shifted to a hospital and a Criminal Case (Crime No.656/2008) was registered.



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8. Admittedly, the appellant is the owner of the said lorry and in the first round of litigation, the appellant had failed to produce relevant documents to establish that the lorry was being driven by a person who was duly licenced to drive the same. In the aforesaid view, the Tribunal awarded compensation by judgment and award dated 18.10.2011 and further directed that the appellant and not respondent no.2 (the insurance company) would bear the liability.

9. The appellant appealed the said decision before this Court in appeal (MFA No.7404/2012(MV), it claimed that it had filed an application claiming that the driver of the lorry had a valid driving licence on the day of the accident. The appellant had also produced certain particulars of his licence.

10. In the aforesaid circumstances, the learned Single Judge of this Court was of the view that the veracity of the appellant's assertion required to be examined. Accordingly by a judgment dated 05.03.2020, this Court remanded the matter to the Tribunal with a direction to both parties to appear before the Tribunal on 15.04.2020. However, it is stated that none of the parties could



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appear on the said day as a nationwide lockdown was imposed on account of the outbreak of COVID-19 pandemic.

11. The appellant claims that a notice issued by the Tribunal was received on 20.04.2022 and it appeared before the Tribunal on 25.04.2022.

12. Concededly, the appellant had not filed the relevant documents including the copy of the driving licence before the Tribunal prior to the Tribunal passing the order which is impugned writ petition from which the present appeal arises.

13. As noted above, the learned Single Judge by an order dated 05.03.2020 passed in MFA No.7404/2012(MV), directed the parties to appear before the Tribunal on 15.04.2020. However, the appellant, neither appeared on the said date, nor on any other dates when the matter was listed before the Tribunal. Copy of the order sheet has been filed. It indicates that the matter was listed before the Tribunal on numerous occasions after 15.04.2020. On 08.02.2021, the Tribunal had issued notice to the parties returnable on 18.02.2021. However none was present on the said date. Thereafter, notices were issued to the parties and the counsel on



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19.03.2021 and was again directed to be issued on 12.04.2021. The matter was again listed on 12.05.2021 and was directed to be called on 08.06.2021. However, on that day as well there was no representation from either of the parties and the Tribunal adjourned the proceedings to 06.08.2021. On the said date, counsel for the claimant and respondent No.2 were present. However, none was present on behalf of the appellant. Once again the Tribunal directed notice to be issued to respondent No.1 on 25.08.2021, returnable on 02.09.2021. Matter was also listed for evidence of the respondents on number of dates. The appellant took no steps to join the proceedings despite the directions from this Court to do so. Even the appellant could not be present on 15.04.2020 and nothing precluded the appellant from ascertaining the status of the matter before the Tribunal and appearing on any of the dates prior to 25.04.2022.

14. The record also indicates that the appellant was represented by its counsel on 05.03.2022. However, the learned counsel appearing for the appellant submits that thereafter, the appellant changed its counsel. Therefore, there was no effective participation by the appellant.



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15. Given the conduct of the appellant, we find that the writ petition and this appeal is an unjustifiable imposition on judicial time. Accordingly, we dismiss the appeal with costs quantified at Rs.10,000/- (Rupees Ten Thousand only) to be deposited with the Karnataka State Legal Services Authority [**KSLSA**], Bengaluru, within a period of two weeks from date.

**Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE**

**Sd/-
(K.S. HEMALEKHA)
JUDGE**

KMV
List No.: 2 Sl No.: 11