



CNR: KAHC010314212017

NC: 2026:KHC:43283-DB
MFA No. 4437 of 2017

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF AUGUST, 2026

PRESENT

THE HON'BLE MR. JUSTICE JAYANT BANERJI

AND

THE HON'BLE MS. JUSTICE TARA VITASTA GANJU

MISCELLANEOUS FIRST APPEAL NO.4437 OF 2017(MV-I)

BETWEEN:

SRINIVAS REDDY.G,
S/O GURUVA REDDY,
AGED ABOUT 46 YEARS,
R/AT: SAKKANAHALLI VILLAGE,
BANGARPET TALUK,
KOLAR DISTRICT-563 114.

...APPELLANT

(BY SRI.K.V.SHYAMAPRASADA, ADVOCATE)

AND:

1. NAGESH.N,
S/O NARASIMHAIAH,
MAJOR,
SHIVA HERITAGE, FLAT NO.G-4,
B BLOCK, NO.109,
BETWEEN V & VI MAIN, KUVEMPUNAGAR
D.K.SANDRA, BENGALURU-560 044.

ALSO R/AT:
SR. LAKSHMINARASIMHASWAMY NILAYA,
NO.975, BCCH LAYOUT,
VAJARAHALLI, HOLIDAY VILLAGE ROAD,
BYANAPALLI KANAKAPURA MAIN ROAD,
THALAGHTTAPURA POST,
BENGALURU-560 062.

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



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2. MOHAMMED ASLAM,
S/O ASHRAP,
MAJOR,
NO.38/75, 7TH MAIN,
II CROSS, TRIVENI ROAD,
KAMALANEHRU BADAVANE,
YESHWANTHPUR, BENGALURU-560 022.
3. SANAULLA KHAN,
S/O K.BAKSHU KHAN,
MAJOR,
NO.66, 8TH CROSS,
HEGGADENAGAR,
THANISANDRA, BENGALURU-560 077.

...RESPONDENTS

(BY SRI.P.SURESH, ADVOCATE FOR R1;
R2 SERVED; SERVICE OF NOTICE TO R3
IS HELD SUFFICIENT V/O/DTD 06.09.2021)

THIS MISCELLANEOUS FIRST APPEAL IS FILED U/S 173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 09.03.2017 PASSED IN M.V.C.NO.2956/2015 ON THE FILE OF THE VIII ADDITIONAL SMALL CAUSES JUDGE AND THE MOTOR ACCIDENT CLAIMS TRIBUNAL (SCCH-5) AT BENGALURU, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

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



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ORAL JUDGMENT

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

A memo has been filed jointly signed by the learned counsel for the appellant and the respondent No.1, as well as their respective advocates.

2. The respective copies of the Aadhaar Cards of the Respondent No. 1 and the appellant have been submitted in Court, and the same shall be signed by the respondent No.1 and the appellant, and countersigned by their respective advocates.

3. There is an office objection regarding the signature of the advocate on the NOC vakalatnama.

4. In the memo dated 23.07.2026 filed by Sri. K.V. Shyamaprasada, the learned advocate for the appellant on 24.07.2026, it is stated as follows:-

"MEMO

The undersigned learnt that the Appellant had earlier affixed his thumb impression on the



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Vakalathnama. However, in the present Vakalathnama, the Appellant has personally signed in the presence of the undersigned.

It is further submitted that the learned Advocate, who was earlier on record, has executed the NOC Vakalathnama. The signature appearing on NOC Vakalathnama may vary from the signature available on the earlier Vakalathnama because the said Advocate is presently suffering from Dementia, and NOC was signed by him before me. The undersigned identify the Appellant's signature and the signature of the earlier Advocate who was on record earlier and the undersigned certified that both of them have voluntarily executed the Vakalathnama by affixing their signatures. The earlier Advocate Mr. D.S. Sridhar is friend of the undersigned Advocate from past 40 years. Hence the undersigned pray that this Hon'ble Court may be pleased to accept the Vakalathnama and take the same on record in the interest of justice and equity."

5. In view of the aforesaid, the memo is accepted and the office objection is over-ruled.



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6. We have questioned the parties present in Court i.e. the respondent No.1 and the appellant, who admit that the settled amount has been paid and duly received, and have requested that the matter be closed as settled out of Court. The memo filed in Court dated 13.08.2026 is therefore accepted.

7. The appeal is accordingly disposed of.

**Sd/-
(JAYANT BANERJI)
JUDGE**

**Sd/-
(TARA VITASTA GANJU)
JUDGE**