HC-KAR

NC: 2026:KHC:59832-DB
WA No. 80 of 2025

CNR: KAHC010034842025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 28TH DAY OF OCTOBER, 2026

PRESENT

THE HON'BLE MR. VIBHU BAKHRU, CHIEF JUSTICE

AND

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

WRIT APPEAL NO.80 OF 2025 (GM-RES)

BETWEEN:

BENGALURU BRUHATH MAHANAGARA PALIKE (BBMP)
REPRESENTED BY ITS CHIEF COMMISSIONER
CORPORATION CIRCLE
BENGALURU-560001.

...APPELLANT

(BY SMT. SINCHANA M.R., ADVOCATE)

AND:

1. SMT. VEDA @ VEDAVATHI
   W/O. M.S KRISHNAMURTHY
   AGED ABOUT 55 YEARS,

2. KUM. KAVYASHREE
   D/O. M.S. KRISHNAMURTHY
   AGED ABOUT 28 YEARS,

3. KUM. PADMASHREE
   D/O. M.S. KRISHNAMURTHY
   AGED ABOUT 26 YEARS,

4. SMT. LEELAMMA
   W/O. SREEKANTAIAH
   AGED ABOUT 93 YEARS,

   ALL ARE R/AT NO.380,
   4TH 'B' MAIN, MARUTHI LAYOUT,

Digitally signed by MAHALAKSHMI B M
Location: High Court of Karnataka

VASANTHAPURA,
BENGALURU - 560 061.

5. THE MANAGING DIRECTOR,
BESCOM, K.R. CIRCLE,
BENGALURU - 560 001.

6. THE EXECUTIVE ENGINEER
(O & M) BESCOM
BENGALURU SOUTH DIVISION
BENGALURU - 560 001.

…RESPONDENTS

(BY SRI. LIKITH R. PRAKASH, ADVOCATE FOR R-6)

THIS WRIT APPEAL IS FILED UNDER SECTION 4 OF THE KARNATAKA HIGH COURT ACT PRAYING TO SET ASIDE THE ORDER DATED 17.08.2023 IN W.P.NO.41765/2016 (GM-RES) PASSED BY THE HON'BLE HIGH COURT OF KARNATAKA BEFORE SINGLE BENCH, AND ALLOW THIS WRIT APPEAL IN THE INTEREST OF JUSTICE AND EQUITY AND ETC.

THIS APPEAL, COMING ON FOR ORDERS, 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 Bruhat Bengaluru Mahanagara Palike [**BBMP**] has filed the present appeal impugning the order dated 17.08.2023 [**impugned order**] passed by the learned Single Judge of this Court in W.P. No.41765/2016 (GM-RES).

2. The respondents, who claim to be the legal heirs of the late Sri. M. S. Krishnamurthy, have filed the petition seeking compensation, with interest, in respect of his demise. He died due to electrocution on 03.08.2014. It is stated that the deceased, M. S. Krishnamurthy, was walking near Kadrenahalli Circle, Banashankari 2nd Stage, Bengaluru, when he came into contact with an electric wire and was electrocuted. A complaint was registered with Banashankari Police Station on 04.08.2014, and the police also drew a spot mahazar. Subsequently, a post-mortem examination was conducted, which established that the deceased had sustained electric burns. The jurisdictional police registered a case for the offence punishable under Section 304A of the Indian Penal Code, 1860 [**IPC**].

3. The report furnished by the Executive Engineer of the Bangalore Electricity Supply Company Limited [**BESCOM**] stated that the accident could have been avoided if sufficient care had been taken to insulate the electrical connections to the streetlights. The learned counsel submits that the report indicated that the BBMP's contractor had been negligent.

4. In the given facts, the learned Single Judge allowed the writ petition and directed BESCOM and BBMP to pay compensation of ₹14,73,164/-, together with interest at 8%. Both were held jointly and severally liable to pay the compensation.

5. The learned counsel appearing for the BBMP submits that BESCOM has not appealed the impugned order and has since paid the compensation as directed. She states that the present appeal is academic and may be disposed of. However, she submits that, since BESCOM's report indicates that BBMP's contractor was negligent, BBMP ought to be granted liberty to recover the amount from the contractor.

6. We note that the BBMP's contractor was neither a party to the writ petition nor is a party to the present appeal.

7. In view of the above, the liberty sought cannot be granted. However, we clarify that BBMP is not precluded from taking steps against any person it considers negligent and from seeking recovery of the amount paid, albeit in accordance with law.

8. We note that there is an inordinate delay of 488 days in filing the appeal. The BBMP has offered no credible explanation for why

it was prevented from filing the appeal within the stipulated period. We find no grounds to condone the delay.

9. The present appeal is dismissed both on the ground of delay and on merits.

10. The pending interlocutory applications also stand disposed of.

Sd/-
(VIBHU BAKHRU)
CHIEF JUSTICE

Sd/-
(K.S. HEMALEKHA)
JUDGE

MBM
List No.: 1 Sl No.: 2