HC-KAR

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY, 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 4171 OF 2026 (GM-AC)

BETWEEN:

THE MANAGER
IFFCO TOKIO GENERAL INSURANCE
COMPANY LIMITED
SHANTHI TOWERS, 5TH FLOOR
NO.141, 3RD MAIN, EAST TO NGEF LAYOUT
KASTHURINAGAR, BENGALURU -560043
REP. BY ITS MANAGER
NARENDRA S
COMPANY REGISTERED UNDER
COMPANY ACT - 1956

...PETITIONER

(BY SRI. B. PRADEEP., ADVOCATE)

AND:

1. PUTTAMMA
   W/O MUNIRAJU
   AGED ABOUT 45 YEARS
   R/AT MUTHASANDRA VILLAGE
   MAYASANDRA
   BANGALORE - 562 107

Digitally signed by VANAMALA N
Location: HIGH COURT OF KARNATAKA

2. JAY JAGANNATH SAMAL EVENT PRODUCTION
REPTD. BY IT'S AUTHORISED SIGNATORY
NO.23, AS NO. 85
KURUBARAHALLI VILLAGE
TAVAREKERE HOBLI
BANGALORE -560043
REP. BY IT'S MANAGER

...RESPONDENTS

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDERS ON IA NO.1 DATED 12-09-2025 PASSED BY THE COURT OF THE XIII ADDITIONAL JUDGE, CHIEF JUDGE, COURT OF SMALL CAUSES BANGALORE IN MV.C. NO.2323/2025 AT ANNEXURE - A AND ETC.

THIS PETITION, COMING ON FOR ORDERS, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

This petition is by the Insurer who is called upon to answer a claim under Section 166 of the Motor Vehicles Act, 1988 [for short, *'the Act'*] in the claim petition in MVC No.2323/2025 on the file of the XIII Additional Judge, Court of Small Causes, Bengaluru [for short, '*the Tribunal*']. The claimant has filed an application under Section 5 of the Limitation Act, 1963 for condonation of the delay in filing the claim petition. The Tribunal, by the impugned order dated 12.09.2025, has allowed the application filed by the claimant.

The question: whether a belated claim petition could be entertained condoning the delay under Section 5 of the Limitation Act, 1963 is pending with the Apex Court in SLP Nos.8412-8413/2023 and similar matters in the writ petition in WP [Civil] No. 166/2024 and connected matters. It remains undisputed that the Apex Court by its interim order

dated 16.12.2025 has observed that the pendency of the writ petitions/special leave petitions before it shall not come in the way of the claim petitions being adjudicated by the Tribunals but with the stipulation that judgments shall not be finalized.

This Court is of the considered view that with the afore-stipulation, this petition must be disposed of observing that the Tribunal's impugned order will be subject to the outcome in the pending matters before the Apex Court. With this arrangement, the inquiry into the merits of the claim petition will continue, but the Tribunal will refrain from pronouncing its judgment and award so that the decision on the merit of the claim petition otherwise will be subject to the Apex Court’s decision on the afore question.

The petition stands disposed of accordingly.

Sd/-
(B M SHYAM PRASAD)
JUDGE

NV
List No.: 1 Sl No.: 15