IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 27TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

WRIT PETITION NO. 32486 OF 2025 (GM-AC)

BETWEEN:

1. THE BRANCH MANAGER
   IFFCO TOKIO GENERAL
   INSURANCE COMPANY LIMITED.
   NEAR 4TH FLOOR, SRI. SHANTHI TOWERS,
   141, 3RD MAIN ROAD, EAST OF NGEF LAYOUT,
   KASTURI NAGAR, BENGALURU 560 043.
   REPRESENTED BY ITS MANAGER
   (COMPANY REGISTERED UNDER
   COMPANY ACT-1956)

…PETITIONER

(BY SRI. B. PRADEEP., ADVOCATE)

AND:

Digitally signed by SHWETHA RAGHAVENDRA
Location: HIGH COURT OF KARNATAKA

1. SHVARAJU A N @ SHIVAKUMAR
   S/O. NINGA SETTY @ NINGARAJU,
   AGED ABOUT 31 YEARS,
   R/AT SHANTHINAGARA,
   KALLUDODDI, INDAVARA POST,
   CHIKKAMAGALURU-577102

2. ABDUL KHADER,
   S/O. ABDUL WAHID,
   AGED ABOUT 42 YEARS,
   HOSAHALLIPETE VILLAGE AND POST,
   CHIKKAMAGALRU TALUK-577102

3. VENKATESH PRASAD. P.R.
S/O. RAMA REDDY P.G.
AGED ABOUT 33 YEARS,
R/O.GUDDADARANGAVALLI,
CHITRADURGA-577502.

…RESPONDENTS

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT OF CERTIORARI OR ANY OTHER APPROPRIATE WRIT OR DIRECTION TO QUASH THE ORDERS DATED 01-02-2025 PASSED ON IA NO.I AND II BY THE COURT OF 1 ADDL. CIVIL JUDGE AND JMFC. CHIKKAMAGALURU IN M.V.C. NO.283/2023 AT ANNEXURE-A AND ETC.

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

CORAM: HON'BLE MR. JUSTICE SURAJ GOVINDARAJ

ORAL ORDER

1. In the above petition, the short question that arises for consideration is whether a claim petition filed under sub-section (3) of Section 166 of the Motor Vehicles Act, 1988 would be maintainable if instituted beyond a period of six months from the date of the accident.

2. It is not in dispute that the said issue is presently under consideration before the Hon’ble Supreme Court in SLP Nos. 8412–8413/2023. By way of an

interim order, the Hon'ble Supreme Court has observed that the pendency of the Special Leave Petitions shall not preclude the Motor Accident Claims Tribunal from proceeding with the adjudication of claim petitions; however, it has been expressly stipulated that final judgments shall not be pronounced.

3. In view of the aforesaid development, and having regard to similar interim orders passed by this Court in connected matters, it is submitted that this petition may be disposed of with appropriate directions to the Motor Accident Claims Tribunal to proceed with the matters, subject to the limitation imposed by the Hon'ble Supreme Court.

4. Having considered the submissions and the interim directions issued by the Hon'ble Supreme Court, I deem it appropriate to dispose of this petition with the following directions:

   4.1. The Motor Accident Claims Tribunal shall be at liberty to proceed with the adjudication of the claim petitions in all respects, including recording of evidence and hearing of arguments;

4.2. However, the Tribunal shall not pronounce or draw up the final award in the said proceedings until further orders are passed by the Hon'ble Supreme Court in SLP Nos. 8412–8413/2023.

5. It is further clarified that the ultimate outcome of the proceedings before the Tribunal shall abide by the decision to be rendered by the Hon'ble Supreme Court in the aforesaid Special Leave Petitions.

5.1. In the event the Hon'ble Supreme Court holds that claim petitions filed beyond the period of six months from the date of the accident are maintainable, the Tribunal shall be at liberty to proceed to pronounce and draw up the final award in accordance with law;

5.2. Conversely, if it is held that such claim petitions are not maintainable, the Tribunal shall pass appropriate orders in conformity with the law so declared.

6. With the above Observations, the Writ Petition stands **disposed**.

Sd/-
(SURAJ GOVINDARAJ)
JUDGE

KTY/List No.: 19