HC-KAR

NC: 2026:KHC:55543
MFA No. 5594 of 2021

CNR: KAHC010373792021

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 6TH DAY OF OCTOBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE S RACHAIAH
MISCELLANEOUS FIRST APPEAL NO. 5594 OF 2021
(MV-I)

BETWEEN:

1. M. S. RAJASHEKAR,
SINCE DEAD BY HIS LR's.
SMT. JYOTHI N.,
W/O LATE M. S. RAJASHEKAR,
AGED ABOUT 46 YEARS,
R/AT WARD NO.1, DOOR NO.117,
6TH CROSS, VAPASANDRA,
CHIKKABALLAPURA TOWN
AND DISRTICT – 562 101.

2. SATHYAJIT R.,
S/O LATE M. S. RAJASHEKAR,
AGED ABOUT 35 YEARS,
R/AT WARD NO.1, DOOR NO.117,
6TH CROSS, VAPASANDRA,
CHIKKABALLAPURA TOWN
AND DISRTICT – 562 101.

Digitally signed by SUSHMA LAKSHMI B S
Location: High Court of Karnataka

3. M. C. SRINIVASALU,
S/O LATTE CHINNAPPA,
AGED ABOUT 85 YEARS,
R/AT WARD NO.1,
DOOR NO.117/1, VAPASANDRA,
CHIKKABALLAPURA TOWN
AND DISRTICT – 562 101.

4. C. PRAMILAMMA,
W/O M. C. SRINIVASALU,
AGED ABOUT 72 YEARS,
R/AT WARD NO.1,
DOOR NO.117/1, VAPASANDRA,
CHIKKABALLAPURA TOWN

AND DISRTICT – 562 101.

…APPELLANT

(BY SRI. T. C. SATHISHKUMAR., ADVOCATE)

AND:

1. MUNEGOWDA M. N.,
   S/O NARAYANASWAMPPA,
   AGED MAJOR,
   R/AT NO.30, MEESAGANAHALLI,
   BEGOORU, BANGALURU NORTH TQ.,
   BANGALORE – 562 149.

2. THE BRANCH MANGER,
   ICICI LOMBARD GNERAL
   INSURANCE CO. LTD.,
   NO.121, ESTATE BUILIDNG,
   9TH FLOOR, DICKESON ROAD,
   M. G. ROAD,
   BANGALORE – 560 042.

…RESPONDENTS

(BY SRI. B. PRADEEP., ADVOCATE FOR R2;
V/O DATED 25.05.2022, NOTICE TO R1 IS D/W)

THIS MFA IS FILED U/S 173(1) OF MV ACT, AGAINST THE JUDGMENT AND AWARD DATED 05.06.2021, PASSED IN MVC.NO.1030/2019, ON THE FILE OF THE VII ADDITIONAL SMALL CAUSE JUDGE AND A.C.M.M., MEMBER, M.A.C.T. - 3 AT BENGALURU, PARTLY ALLOWING THE CLAIM PETITION FOR COMPENSATION AND SEEKING ENHANCEMENT OF COMPENSATION.

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

CORAM: HON'BLE MR. JUSTICE S RACHAIAH

CNR: KAHC010373792021

ORAL JUDGMENT

1. The appellant filed I.A.No.1/2026 seeking permission for production of additional documents before the Tribunal and the same is allowed permitting the appellant to produce additional documents before the Tribunal.

2. Since, the additional documents are required to be proved in accordance with law before the Tribunal, the matter is remanded back to the Tribunal for further proceedings.

3. In the light of the aforesaid observations, I proceed to pass the following:

ORDER

i. The appeal is disposed of.

ii. The judgment and award dated 05.06.2021 passed in MVC No.1030/2019 on the file of MACT, Court of Small Causes, Bengaluru is hereby set aside.

iii. The appeal is remanded back to the Tribunal for further proceedings.

iv. All the contentions of the parties are kept open.

v. Registry is directed to transmit the TCR to the Tribunal along with the copy of this order forthwith.

vi. The parties are directed to appear before the Tribunal on 03.11.2026.

Sd/-
(S RACHAIAH)
JUDGE

JS
List No.: 1 Sl No.: 8