

IN THE COURT OF THE PRL. SENIOR CIVIL JUDGE, HUBBALLI

M.V.C. No.689/2022

Petitioner : Mustakali Nabisab Nadaf.

Versus

Respondents : Manjunath Patil and another.

ISSUE

1. Whether the petitioner proves that on 14.02.2021 at about 1-00 p.m. near Gandhi Katta, Kusugal, when the petitioner was riding his motor cycle bearing No.KA-25/EM-2069 by observing all traffic rules, then tempo bearing No.KA-01/A-1409 belonging to respondent No.1 insured with respondent No.2 came from Hubballi towards Navalgund in high speed, rash or negligent manner and caused accident to the petitioner and petitioner sustained grievous injury and became permanently disabled in the accident?
2. Whether the respondent No.2 proves that the driver of the offending vehicle/ insured vehicle was not holding valid D.L. hence, it is not liable to pay the compensation?
3. Whether the respondent No.2 proves that owner and insurer of the motor cycle bearing No.KA-25/EM-2069 are necessary parties to the petition and since they are not impleaded, this petition suffers from non-joinder of necessary parties?

4. Whether the petitioner is entitle for compensation? If so
at what rate and from whom?

5. What order or award?

Place: Hubballi
Dt: 27-06-2023

(Chinnannavar Rajesh Sadashiv)
Prl. Senior Civil Judge, Hubballi.