



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. 5503 OF 2026 (GM-AC)

BETWEEN:

THE MANAGER
RELIANCE GENERAL INSURANCE
COMPANY LIMITED.
CTS 472-474, V A KALABURGI SQUARE,
DESAI CROSS, DESHPANDE NAGAR,
HUBLI, DHARWAD - 580 029.
NOW REP. BY THE MANAGER,
RELIANCE GENERAL INSURANCE CO. LTD.,
NO.28, 5TH FLOOR, EAST WING,
CENTENARY BUILDING, M G ROAD,
BENGALURU-560 001.
REPRESENTED BY ITS MANAGER, SANDEEP S K
COMPANY REGISTERED UNDER
COMPANIES ACT-1956

...PETITIONER

(BY SRI. B. PRADEEP, ADVOCATE)

AND:

1. THATHA VISWESWARA RAO
S/O. TATA VENKATA KISTAIAH,
AGED ABOUT 64 YEARS
2. THATHA NAGAMANI,
W/O TATA VISVESWARA RAO,
AGED ABOUT 56 YEARS





BOTH ARE R/AT VILLA 21, PHASE-II,
ANJANA CLASSIC SOCIETY,
OPP. OAK INTERNATIONAL SCHOOL,
KAPRA, MEDCHAL - MALKAJGIRI,
TELANGANA - 500 062
ALSO R/AT NO.46/1,
GAVEBHAVIPALYA VILLAGE,
BEHIND NARASIMHA THEATRE,
BEGUR HOBLI MAIN ROAD,
BANGALORE - 560 068

3. A B SAGAR,
S/O. BAIREGOWDA,
AGED ABOUT 25 YEARS,
R/AT KEMPEGOWDANA KOPPALU,
HABATURU VILLAGE AND POST,
KASABA HOBLI, PERIYAPATNA TALUK,
MYSORE DISTRICT - 571 109

...RESPONDENTS

THIS W.P. IS FILED UNDER ARTICLES 226 AND
227 F THE CONSTITUTION OF INDIA PRAYING TO
QUASH THE ORDERS ON IA NO.1 DATED 07.08.2024
PASSED BY THE COURT OF THE X ASCJ AND ACJM
COURT OF SMALL CAUSES BANGALORE, IN M.V.C NO.
5995/2023 AT ANNEX-A AND ETC.

THIS PETITION, COMING ON FOR PRELIMINARY
HEARING, 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.5995/2023 on the file of the X Additional Senior Civil Judge and ACJM, Court of Small Causes, Bengaluru [for short, '*the Tribunal*']. The claimants 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 07.08.2024, 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.: 4 Sl No.: 9