

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
[THE LEGAL MANAGER, VS. SUMANGALAMMA OBANNARA,
AND OTHERS]

25.02.2026
(VIDEO CONFERENCING)

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

ORAL ORDER

Sri Pradeep B, the learned counsel for the petitioner, is heard on the petitioner's grievance with the order dated 20.08.2025 in Execution No.147/2024 on the file of the II Additional Senior Civil Judge and MACT, Davanagere. The petitioner [*an Insurer*], who has to satisfy the award under Section 16 of the Motor Vehicles Act, 1988 after this Court's order in MFA No. 8928 of 2013 and MFA No.1857 of 2014, is aggrieved by the executing Court calling upon to pay a sum of Rs. 3,34,280/- as remaining balance compensation.

Sri Pradeep B submits that [*a*] the petitioner is liable to pay only 50% of the award amount, which has been credited along with interest within the time allowed by this Court, [*b*] the cheque was not presented by the Tribunal for encashment because of COVID-19 restrictions, [*c*] the petitioner's liability, even if it is called upon to pay interest for the period during which the cheque could not be

encashed, cannot be encashed and it could only be in a sum of Rs. 59,000/-, and **[d]** the Tribunal without any justification, and despite a detailed Memo of Calculation, has called upon the petitioner to pay a sum of Rs. 3,35,000/-.

These submissions are considered, and the interim order is granted as prayed for to be in force until further orders with liberty to the respondents to file application for vacating.

Deferring orders on service of notice, Sri Pradeep B is called upon to ensure that the copies of the petition and accompanying papers are served on the learned counsel who is on record for the respondents in the execution proceedings under acknowledgment and that such acknowledgment shall be filed into this Court within 15 days.

The office is directed to re-list this petition on **06.04.2026.**

(B M SHYAM PRASAD)
JUDGE