



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. 14125 OF 2025 (GM-AC)

BETWEEN:

IFFCO TOKIO GIC LTD
NO. 7/432, K.B. LAYOUT, LAWYER ROAD,
DAVANAGERE-577002.
NOW REP BY
IFFCO TOKIO GIC LTD.,
CUSTOMER SERVICE CENTER, SRI. SHANTHI TOWERS,
5TH FLOOR, NO.141, 3D MAIN, EAST OF NGEF LAYOUT,
KASTURI NAGAR, BANGALORE 560 043.
REP. BY ITS LEGAL MANAGER.
COMPANY IS REGISTERED UNDER COMPANY ACT 1956.

...PETITIONER

(BY SRI. PRADEEP B., ADVOCATE)

AND:

1. V RUDRAPPA @ THALEGARA RUDRAPPA
AGED ABOUT 53 YEARS,
S/O. LATE VENKAPPA, R/O LOKIKERE VILLAGE,
DAVANAGERE TALUK AND DISTRICT.
2. MANJUNATH. B,
S/O. BASAVARAJAPPA,
AGED ABOUT 31 YEARS,
R/O. BELAVANURU VILLAGE,
DAVANAGERE TALUK AND DISTRICT.





3. M. N. VEERENDRA PATIL,
S/O. P.C. NAGANAGOWDA,
AGED ABOUT 61 YEARS,
R/O MEDIAGINAKERE VILLAGE
JAGALURU TALUK- 577001

...RESPONDENTS

(NOTICE TO R-2 AND 3 DISPENSED WITH V/O DT. 8.12.2025)

THIS WRIT PETITION IS FILED UNDER ARTICLE 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE ORDER AS PER ANNEXURE-E DTD-27.02.2024 PASSED BY THE COURT OF THE 3RD ADDL SR. CIVIL JUDGE AND JMFC DAVANAGERE FILED UNDER SEC 5 OF LIMITATION ACT AS PER ANNEXURE-B AND TO REJECT THE I.A. NO.3/2024 FILED BY THE PETITIONER UNDER ORDER 7 RULE 11 OF CPC READ WITH SEC 166-3 (AMENDMENT ACT 2019) IN MVC NO.393-2023 AND ALLOW THE APPLICATION FILED BY THE RESPONDENT U/S 5 OF THE LIMITATION ACT AS PER ANNEXURE-B AND HOLD THAT CLAIM PETITION AS PE ANNEXURE-A IS NOT MAINTAINABLE.

THIS WRIT 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, learned counsel appearing on both sides fairly submit that these petitions 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 these petitions 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